AFTER BAKER-HAMILTON: WHAT TO DO IN IRAQ

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International **Crisis Group**

WORKING TO PREVENT
CONFLICT WORLDWIDE

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

Slowly, incrementally, the realisation that a new strategy is needed for Iraq finally is dawning on U.S. policy-makers. It was about time. By underscoring the U.S. intervention's disastrous political, security, and economic balance sheet, and by highlighting the need for both a new regional and Iraqi strategy, the Baker-Hamilton report represents an important and refreshing moment in the country's domestic debate. Many of its key – and controversial – recommendations should be wholly supported, including engaging Iran and Syria, revitalising the Arab-Israeli peace process, reintegrating Baathists, instituting a far-reaching amnesty, delaying the Kirkuk referendum, negotiating the withdrawal of U.S. forces with Iraqis and engaging all parties in Iraq.

But the change the report advocates is not nearly radical enough, and its prescriptions are no match for its diagnosis. What is needed today is a clean break both in the way the U.S. and other international actors deal with the Iraqi government, and in the way the U.S. deals with the region: in essence, a new multinational effort to achieve a new political compact between all relevant Iraqi constituents.

A new course of action must begin with an honest assessment of where things stand. Hollowed out and fatally weakened, the Iraqi state today is prey to armed militias, sectarian forces and a political class that, by putting short term personal benefit ahead of long term national interests, is complicit in Iraq's tragic destruction. Not unlike the groups they combat, the forces that dominate the current government thrive on identity politics, communal polarisation, and a cycle of intensifying violence and counter-violence. Increasingly indifferent to the country's interests, political leaders gradually are becoming warlords. What Iraq desperately needs are national leaders.

As it approaches its fifth year, the conflict also has become both a magnet for deeper regional interference and a source of greater regional instability. Instead of working together toward an outcome they all could live with – a weak but united Iraq that does not present a threat to its neighbours – regional actors are taking measures in anticipation of the outcome they most fear: Iraq's descent into all-out chaos and fragmentation. By increasing support for some Iraqi actors against others, their actions have all the wisdom of a self-fulfilling prophecy: steps that will accelerate the very process they claim to wish to avoid.

Two consequences follow. The first is that, contrary to the Baker-Hamilton report's suggestion, the Iraqi government and security forces cannot be treated as privileged allies to be bolstered; they are simply one among many parties to the conflict. The report characterises the government as a "government of national unity" that is "broadly representative of the Iraqi people": it is nothing of the sort. It also calls for expanding forces that are complicit in the current dirty war and for speeding up the transfer of responsibility to a government that has done nothing to stop it. The only logical conclusion from the report's own lucid analysis is that the government is not a partner in an effort to stem the violence, nor will strengthening it contribute to Iraq's stability. This is not a military challenge in which one side needs to be strengthened and another defeated. It is a political challenge in which new consensual understandings need to be reached. The solution is not to change the prime minister or cabinet composition, as some in Washington appear to be contemplating, but to address the entire power structure that was established since the 2003 invasion, and to alter the political environment that determines the cabinet's actions.

The second is that it will take more than talking to Iraq's neighbours to obtain their cooperation. It will take persuading them that their interests and those of the U.S. no longer are fundamentally at odds. All Iraqi actors who, in one way or another, are participating in the country's internecine violence must be brought to the negotiating table and must be pressured to accept the necessary compromises. That cannot be done without a concerted effort by all Iraq's neighbours, which in turn cannot be done if their interests are not reflected in the final outcome. For as long as the Bush administration's paradigm remains fixated around regime change, forcibly remodelling the Middle East, or waging a strategic struggle against an alleged axis

composed of Iran, Syria, Hizbollah and Hamas, neither Damascus nor Tehran will be willing to offer genuine assistance. Though they may indeed fear the consequences of a full-blown Iraqi civil war, both fear it less than they do U.S. regional ambitions. Under present circumstances, neither will be prepared to save Iraq if it also means rescuing the U.S.

In short, success in Iraq, if it still can be achieved at this late date, will require three ambitious and interrelated steps:

A new forceful multilateral approach that puts real pressure on all Iraqi parties: The Baker-Hamilton report is right to advocate creation of a broad International Support Group; it should comprise the five permanent Security Council members and Iraq's six neighbours. But its purpose cannot be to support the Iraqi *government.* It must support *Iraq,* which means pressing the government, along with all other Iraqi constituents, to make the necessary compromises. It also means agreeing on rules of conduct and red-lines regarding third party involvement in Iraq. This does not entail a one-off conference, but sustained multilateral diplomacy.

A conference of all Iraqi and international stakeholders to forge a new political compact: A new, more equitable and inclusive national compact needs to be agreed upon by all relevant actors, including militias and insurgent groups, on issues such as federalism, resource allocation, de-Baathification, the scope of the amnesty, and the timetable for a U.S. withdrawal. This can only be done if the International Support Group brings all of them to the negotiating table, and if its members steer their deliberations, deploying a mixture of carrots and sticks to influence those on whom they have particular leverage.

A new U.S. regional strategy, including engagement with Syria and Iran, an end to efforts at regime change, revitalisation of the Arab-Israeli peace process, and altered strategic goals: Polite engagement of Iraq's neighbours will not do; rather, a clear redefinition of Washington's objectives in the region will be required to enlist regional, but especially Iranian and Syrian help. The goal is not to bargain with them, but to seek agreement on an end-state for Iraq and the region that is no one's first choice, but with which everyone can live.

There is no magical solution for Iraq. But nor can there be a muddle-through. The choice today could not be clearer. An approach that does not entail a clean break vis-à-vis both Iraq and the region at best will postpone what, increasingly, is looking like the most probable scenario: Iraq's collapse into a failed and fragmented state, an intensifying and long-lasting

civil war, as well as increased foreign meddling that risks metastasising into a broad proxy war. Such a situation could not be contained within Iraq's borders. With involvement by a multiplicity of state and non-state actors and given that rising sectarianism in Iraq is both fuelled by and fuels sectarianism in the region, the more likely outcome would be a regional conflagration. There is abundant reason to question whether the Bush administration is capable of such a dramatic course change. But there is no reason to question why it ought to change direction, and what will happen if it does not.

RECOMMENDATIONS

STEPS TO INTERNATIONALISE CONFLICT-RESOLUTION

To the Five Permanent Members of the UN Security Council:

1.   Establish an International Support Group, composed of the five permanent members of the Security Council, Iraq's neighbours and the UN, represented by its Secretary General, with the objective of:

     (a)   agreeing on rules of the game for outside parties vis-à-vis Iraq;

     (b)   reaching agreement on broad goals and key compromises for Iraq;

     (c)   appointing an empowered UN special envoy to begin work with all Iraqi constituents on a reconciliation process; and

     (d)   convening a conference of all of Iraq's political stakeholders (including insurgent groups and other disenfranchised but politically significant elements of society).

STEPS TO ENSURE REGIONAL COOPERATION

To the U.S. Government:

2.   Alter regional strategy, renouncing in particular ambitions to forcibly remodel the Middle East.

3.   Refrain from referring to Iraq as a "model" for the region or the new "front" in the anti-terrorism war.

4.   Engage in discussions with Iran and Syria in a direct and sustained manner that acknowledges

they have legitimate interests in Iraq's and the region's future.

5. In the context of the Quartet, and together with Arab countries, revitalise the search for a comprehensive Arab-Israeli peace.

To the Government of Syria:

6. Enhance control at the Iraqi border.

7. Facilitate achievement of a national Iraqi compact by:

   (a) using its extensive intelligence on and lines of communication with insurgent groups to facilitate negotiations; and

   (b) drawing on its wide-ranging tribal networks to reach out to Sunni Arabs in the context of such negotiations.

To the Government of Iran:

8. Enhance control at the Iraqi border.

9. Facilitate achievement of a national compact by using its leverage to control SCIRI and its channels in southern Iraq to influence the Sadrists.

To the Government of Saudi Arabia:

10. Facilitate achievement of a national compact by using its influence with insurgent groups, in particular by cutting off funding from private Saudi sources to those that refuse to cooperate.

To the Government of Turkey:

11. Facilitate achievement of a national compact by using its influence with all Iraqi actors, including insurgent groups.

12. Continue to develop peaceful economic and political relations with Iraqi Kurdistan.

STEPS TO ACHIEVE A NEW IRAQI POLITICAL COMPACT

To the Iraqi Government, Political Parties, and Insurgent and Militia Groups:

13. Work with the UN special envoy and attend the International Support Group's conference to reach agreement on a political compact focused on power and wealth sharing, including:

    (a) an asymmetric federal system providing a separate status for the Kurdish region, as currently defined and with powers broadly described in the constitution, and an Arab Iraq divided into fifteen decentralised governorates that reflect present boundaries;

    (b) acceptance of Kirkuk governorate as a decentralised governorate with an interim power-sharing arrangement to last at least ten years; and a UN envoy appointed to facilitate this arrangement and help create a mechanism to determine the governorate's final status;

    (c) a process for equitable revenue sharing, under which income from oil, gas and other natural resources would accrue to a federal trust fund operated by an independent federal authority and would be distributed according to each region's demographic share;

    (d) a relaxation of de-Baathification measures, with the principal criterion for exclusion being past proven crimes, not past party membership;

    (e) passage of a broad amnesty covering individuals who agree to put down their arms and subscribe to the national compact;

    (f) reintegration of officers of the former army unless proven to have committed human rights abuses or other crimes;

    (g) negotiation with the U.S. of a relatively rapid timetable for the full withdrawal in stages of its forces;

    (h) agreement on a status of foreign forces, with rules of engagement focusing on the need to protect populations and respond to immediate threats against troop security, while requiring prior Iraqi command authorisation for any manoeuvres, offensives, arrest campaigns or other military actions outside this framework; and

    (i) agreement on a new electoral law providing for direct, constituency-based elections.

To Members of the Recommended International Support Group:

14. Guide Iraqi participants in a peace conference towards accepting a national compact along the lines described above.

15. Condition further and augmented economic support on quick agreement on and implementation of elements of the national compact.

To the Government of Iraq:

16. Organise, assuming agreement on a national compact is reached and reflected in a revised constitution, a referendum for its approval.

URGENT STEPS TO STEM THE VIOLENCE

To the Government of Iraq:

17. Seek to reduce sectarian and ethnic polarisation and violence by:

    (a) stating publicly its commitment to work toward a new, more inclusive national compact, as described in this report;

    (b) condemning and seeking to halt the killing of civilians and torture by security forces, investigating allegations of abuse and prosecuting offenders;

    (c) suspending police units suspected of serious human rights abuses and participation in sectarian violence;

    (d) urging all government officials to desist from ethnic, sectarian or otherwise inflammatory statements, and pressing members of the council of representatives to do the same;

    (e) making a deliberate and widely announced effort to provide health services, opening bank branches and fixing power supply in predominantly Sunni Arab towns and neighbourhoods; and

    (f) making a commitment to a peaceful solution to the Kirkuk question, and postponing referendums to determine its and other disputed areas' status.

To the U.S. Government:

18. Adopt a less aggressive military posture in Iraq by:

    (a) redirecting resources to a program of embedding U.S. troops in Iraqi units; and

    (b) moving away from fighting the insurgency to focusing on protecting the civilian population, and in particular halting blind sweeps that endanger civilians, antagonise the population and have had limited effect on the insurgency.

19. Redeploy troops along the frontlines of the unfolding civil war, notably by filling in the current security vacuum in Baghdad.

20. Focus on limiting the militias' role to protecting civilians in places where government forces cannot, rather than seek to forcibly disband them, while taking strong action against political assassinations, sectarian attacks, or attempts to overrun government offices.

21. Avoid steps to engineer a cabinet reshuffle aimed at side-lining Muqtada al-Sadr, which would further inflame the situation.

22. Shelve plans to hurriedly expand the Iraqi security apparatus and focus instead on vetting, restructuring, and retraining existing units.

23. Free and compensate Iraqi prisoners detained by the U.S. without charge.

24. Compensate Iraqis who have suffered as a result of the U.S.-led counterinsurgency campaign.

25. Condition short-term financial support on the government reversing its policy of serving certain constituencies at the expense of others (most notably with regard to salary payment and basic service delivery).

26. Abandon the super-embassy project and move a reduced embassy to a more neutral location.

27. Publicly deny any intention of establishing long-term military bases or seeking to control Iraq's oil.

Baghdad/Amman/Damascus/Brussels,
19 December 2006

AFTER BAKER-HAMILTON: WHAT TO DO IN IRAQ

I. INTRODUCTION: ASSESSING THE BAKER-HAMILTON REPORT

The Iraq Study Group, co-chaired by James Baker and Lee Hamilton, did what ought to have been done a long time ago: describe with welcome and unusual candour the magnitude of the Iraqi calamity. Its opening pages put it bluntly and graphically:

> If the situation continues to deteriorate, the consequences could be severe. A slide toward chaos could trigger the collapse of Iraq's government and a humanitarian catastrophe. Neighbouring countries could intervene. Sunni-Shia clashes could spread. Al-Qaeda could win a propaganda victory and expand its base of operations.[1]

The report also correctly argues that preventing such an outcome will require energetic pursuit of a two track strategy: a collective effort by regional countries and the international community to contain the conflict, coupled with an internal reconciliation process. Finally, it emphasises the degree to which the U.S. administration will have to alter its policies if it wishes to achieve these goals, live up to its moral responsibilities, and protect its vital strategic interest in Iraq and the region. Although the report does not clearly spell out what it sees as a realistically achievable end-state for Iraq, it is quite clear about what is at stake: saving as much as possible of Iraq's political system in order to avoid a U.S. military withdrawal amidst a civil war that could trigger a broader regional conflagration.

By lucidly analysing the present circumstances, and doing so with bipartisan support, the report makes a significant contribution to the U.S. domestic debate. Crisis Group strongly supports a number of its key recommendations, such as engaging Iran and Syria, revitalising the Arab-Israeli peace process, rejecting any three-way division of the country, reintegrating Baathists, instituting a far-reaching amnesty, delaying the Kirkuk referendum, negotiating the withdrawal of U.S. forces with Iraqis and engaging all parties in Iraq.

But the report suffers from two important analytic flaws. First, it recognises that the government is a full-fledged actor in inter-confessional violence, yet in the same breath recommends that it be backed and strengthened, including through military means. Thus, the government is described as a "government of national unity" that is "broadly representative of the Iraqi people",[2] when it is nothing of the sort. The government is not a partner in an effort to stem the violence, nor will its strengthening contribute to Iraq's stability. The Sunni Arab representatives it includes lack meaningful support within their community, and have no sway with the armed opposition groups that are feeding civil war dynamics. Conversely, its most influential Shiite members control the most powerful militias, which also are involved in brutal sectarian violence. Given the depth of polarisation, the U.S. must come to terms with the fact that the current government is merely one among many parties to the conflict – a situation the report accurately describes, but whose consequences it fails to draw.

As a result, the Iraqi government will resist any initiative likely to weaken it – including any measure that, by challenging the current distribution of power and resources, could contribute to national reconciliation. In short, genuine reconciliation can occur only under one of two scenarios. Participants in the conflict may exhaust themselves – though it is unclear whether Iraq will survive in the time it will take to reach that point. Or, alternatively and preferably, outside parties working together will compel all Iraqi constituents to attend a national reconciliation conference where they will be treated as rough equals and where necessary compromises can be hammered out.

The second weakness of the Baker-Hamilton report relates to its recommendations concerning the regional environment. The authors properly highlight the need for an international consensus and, therefore, for engagement with Tehran and Damascus and reengagement on the Arab-Israeli track. But what is required is more than engagement and more than dialogue; if the regional climate is to be changed – and it will have to be if success in Iraq is to be achieved and regional conflict to be avoided – Washington will have to alter its overall

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[1] Iraq Study Group (ISG), *The Iraq Study Group Report* (New York, 2006), p.xiv.

[2] ISG, p.12.

strategic vision. So long as the Bush administration's paradigm is built around the notion of a broad strategic competition between its allies (e.g. so-called moderate Arab regimes, Israel, the March 14 forces in Lebanon) and an axis composed of Iran, Syria, Hizbollah and Hamas, it simply is unrealistic to expect any cooperation from either Damascus or Tehran.

In addition to the report's "New Diplomatic Offensive", in other words, what is needed is a new regional strategy in which the U.S. would engage all parties in order to define an acceptable end-state for Iraq as well as the region as a whole and in order to compel all Iraqi constituents to accept a negotiated solution. That does not mean surrendering to either Iranian or Syrian desiderata. Both clearly have goals that exceed what any U.S. administration will accept. But it means taking their vital interests into account in trying to shape a collective vision for the future, for example through a regional security agreement. The Baker-Hamilton report, by recommending the U.S. shift its priorities back to the peace process, takes steps in that direction. But by not squarely recognising the need for U.S. rethinking on a host of other issues (most prominently Iran's nuclear program but also the future of Syrian-Lebanese relations), it falls short and creates the dangerous illusion that engagement in and of itself can produce what isolation did not.

The report presents other difficulties. The changes it recommends for the most part are pegged to the U.S. political calendar (namely, the 2008 presidential election), producing a timetable that is wholly disconnected from realities on the ground and duplicating a habit that, over the past few years, already has had devastating consequences. The constitutional revision it rightly calls for is seen as preceding rather than flowing from national reconciliation – a sequence that virtually guarantees its failure. Finally, the report evokes the need to open channels of communication with the armed opposition groups, but without fully endorsing the logical conclusion of its own analysis: that they must be treated as genuine and indispensable participants in any reconciliation process. Noticeably, the text never presents the positions put forward by these groups – if only to consider whether and to what extent they can be accommodated – despite the fact that these have been clearly and publicly articulated.

In this report, Crisis Group offers its own diagnosis of the Iraqi situation and its proposals for truly and decisively turning a page.

II. IRAQ'S PREDICAMENT: ESCALATING CONFLICT IN A FAILING STATE

A. A COLLAPSING STATE, DESTRUCTIVE AGENDAS

Two key factors that have received insufficient recognition are critical in understanding the country's current condition. One is the utter collapse of the state apparatus, which created both a security and a managerial vacuum that three and a half years of reconstruction have failed to overcome and that has been filled by autonomous, violent actors. The other is the rise of a class of politicians, predominantly former exiles and émigrés enjoying little legitimacy among ordinary Iraqis, who have treated the country and its rich resources as their party or personal entitlements rather than as national patrimony, have encouraged the appearance of a community-based political system that has polarised the country, and in some cases have advanced separatist agendas that threaten to tear the nation apart. Hollowed out and fatally weakened, the state today is prey to armed militias, sectarian forces (including jihadist organisations) and a political class that, by putting short-term personal benefit ahead of long term national interests, is complicit in Iraq's tragic destruction.

Post-Saddam Iraq began at a serious disadvantage. The state apparatus had become anaemic as a result of more than a decade of UN-imposed sanctions (which criminalised the economy, corrupted the bureaucracy and impoverished a once-thriving middle class),[3] while simultaneously being gutted by a dictator who regained his grip on power after the Gulf war at the expense of state institutions. But post-occupation management made things far worse. First were the extraordinary acts of looting that immediately followed the U.S. invasion and during which its forces stood by passively. What followed were perhaps the most costly decisions made by the Bush administration: the deliberate disbandment of the army and police coupled with the blanket de-Baathification which, in one fell swoop, decapitated the state and hollowed its institutions. At the same time, the

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[3] Referring to the sanctions decade, a long-time Iraq observer commented: "The U.S. should have realised the state would collapse because their policies over a decade were designed to cause just that". Presentation by Toby Dodge, Jordanian Institute of Diplomacy, Amman, 30 October 2006. See also his "How Iraq Was Lost", *Survival*, vol. 48, no. 4, winter 2006-2007, an enlightening review of books on Iraq by Noah Feldman, David Phillips, Mark Etherington, Larry Diamond, George Packer and Paul Bremer.

Coalition Provisional Authority (CPA) installed weak and illegitimate interim governments that lacked means of enforcement in an environment of growing conflict and polarisation. By then the collapse of the Iraqi state was well on its way; it has, in turn, led to the decomposition of Iraqi society.

The security vacuum was filled by militias linked to the Shiite Islamist parties, the Badr Corps of the Supreme Council for the Islamic Revolution in Iraq (SCIRI) and Muqtada Sadr's Mahdi army, as well as an array of smaller groups, among them Mahdi army off-shoots, neighbourhood vigilantes, private security contractors guarding politicians as well as oil, power and other key facilities, and criminal mafias. The militias' empowerment, in particular, has contributed to the very dangerous sectarian dynamic that emerged following the January 2005 elections, while the growing privatisation of violence has resulted in chaos. Iraqis lacking resort to the state now rely on armed groups for protection;[4] short-term survival strategies have replaced long-term reconstruction agendas.

The managerial vacuum was filled by parties founded in exile that, upon their arrival in Iraq in April 2003, had a head start given the lack of an authentic political life, Saddam Hussein's regime having suppressed it and the CPA having failed to provide for it. These forces have proved unable to govern, let alone bring about the important compromises needed to heal the deepening rifts. To the contrary, they have accentuated differences by their brand of identity politics and promotion of a political system in which positions are allotted according to communal (ethnic or confessional) identities (what in Lebanon is called *nidham al-muhasasa al-taifiya*). Primordial identities re-emerged – Sunni, Shiite, Arab, Kurd, Turkoman, Assyrian, Shabak – and were transformed into the primary markers of political allegiance, superseding any sense of national identity or interest. With few exceptions, the parties and individuals that came to represent these communities – themselves internally divided – carved out private fiefdoms in the ministries and institutions they acquired as part of *al-muhasasa*, preying on the state's coffers and reconstruction largesse to finance their militias and line their pockets.

The absence of politics also raised the stock of both Sunni and Shiite clerics and, over time, the more radical among them, all at the expense of secular-minded forces. Thus, apart from the Kurds, the parties in power

today are not just based in the Sunni and Shiite communities but represent their most militantly religious elements,[5] who have adopted a stridently sectarian discourse, encouraged by a pattern of violence involving attacks on Shiites that are promptly avenged, vendetta-like, by attacks on Sunnis.[6]

No single issue proved more polarising in post-war Iraq than the 2005 drafting of the country's permanent constitution.[7] Kurds, who had let known their intention to stay in Iraq while expressing their preference to secede, were joined by SCIRI in a bid to impose a federal structure that would allow, aside from a Kurdish region that is accepted by most Iraqis, the establishment of a southern nine-governorate Shiite-dominated super region that would control most of the country's oil.[8] This would leave Sunni Arabs landlocked, deprived of natural resources and uncertain of any wealth flowing their way through a revenue-sharing mechanism controlled in name by the federal state but in effect by the rich, powerful and potentially vengeful regional government in the south.

No country run by a weak or non-existent central state could survive the strain of a civil war arising from an existential struggle over power and resources.[9] And so, by extending loose federalism – doubtless an option for the Kurds with their separate culture and history – to the country's majority Shiite population, in other words by *sectarianising* it, the constitution became the blueprint for the country's dissolution rather than the unifying

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[4] This is so much the case that secular Iraqis who happen to be Sunnis end up seeking protection of al-Qaeda-affiliated groups in certain parts of Baghdad against attacks from Mahdi army fighters. See George Packer, "Save Whomever We Can", *The New Republic*, 27 November 2006.

[5] The Shiite political parties are "*madhhabiya*" parties, said an Iraqi observer, referring to the Arabic word for religious school (*madhhab*): "They lack true popular support." Crisis Group interview, Amman, 16 July 2006.

[6] See Crisis Group Middle East Report N°52, *The Next Iraqi War? Sectarianism and Civil Conflict*, 27 February 2006.

[7] As Crisis Group has pointed out in previous reports, the constitution was drafted by representatives of only two of Iraq's three principal communities after Sunni Arabs boycotted the 25 January 2005 elections. Sunni Arabs voted massively against it, failing by a mere 85,000 in a single governorate (Ninawa) to defeat it. According to a January 2006 poll, 89 per cent of Shiites saw the subsequent December 2005 elections as "free and fair", while 94 per cent of Sunni Arabs did not. "What the Iraq Public Wants", available at http://www.worldpublicopinion.org, 2-5 January 2006. For Crisis Group's critique, read Middle East Policy Briefing N°19, *Unmaking Iraq: A Constitutional Process Gone Awry*, 26 September 2005.

[8] See Reidar Visser, "A Disunited Iraqi Alliance Triumphs in the South", 22 December 2005, available at http:// historiae.org.

[9] Proposals to partition Iraq "completely ignore the central problem – that there is no centre of power in Arab Iraq. Pressing for partition will simply lead to more intense conflict between more fragmented actors," presentation by Toby Dodge, op. cit.

national compact it was meant to be.[10] It was, in short, a recipe for violent conflict over regional boundaries, tremendous bloodshed as minority populations are hounded out, and the country's de facto break-up. While there is no guarantee that such a Shiite super region will ever emerge, the debate itself has proved excessively inflammatory and divisive, as the prospect of partition provokes hopes for some, fears for others, and uncertainty for all. In a telling rebuke, Sunni Arabs narrowly failed to defeat the constitution in the 15 October 2005 referendum in a massive "no" vote.

There are real difficulties with the various proposals have been made in the U.S. to either partition Iraq or acquiesce in its division into basically three autonomous regions. Despite significant population displacement, much of Iraq's population still lives in areas that at least until recently were profoundly inter-mixed, due to labour migration, forced resettlement under past regimes and widespread inter-marriage across ethnic, confessional and tribal lines. These remain contact zones between various ethnic and confessional groups.

If there are ethnically or religiously "pure" areas at all, they are often minority islands in a sea of people of a different primary identity, such as the Sunni Arab groups in many cities that have majority Shiite populations (for example, Basra), the Shiite towns and villages north of Baghdad that are surrounded by Sunnis, and the Sunni Arab towns south of Baghdad on the road from the capital to the Shiites' holiest shrines in Karbala and Najaf. One deeply contested area is the wide mixed-population belt stretching from the Syrian border in north western Iraq to the Iranian border east of Baghdad, where various ethnic and religious communities vie for survival, political control and access to the rich oil deposits underneath.

In such a mosaic, no simple lines can be drawn to distinguish one community from another, at least not without major violence between groups, within groups and even within families. Even the line that has effectively divided the Kurdish region from "Arab Iraq" since late 1991 is heavily contested, as the Kurds push south into the mixed-population belt and the other communities living there resist them, increasingly by

force. The argument, advanced by Peter Galbraith[11] that the reality on the ground is already one of de facto partition, is self-serving – a Kurdo-centric justification for the establishment of an ethnically-defined Kurdish state. It is also patently false. The reality is one of widespread chaos in which families are forced to move from relatively heterogeneous pockets to areas in which their "kind" predominates, often finding themselves in nothing better than a bigger pocket. Rather than solving the problem, this only re-orders dividing lines, which remain contested in a constantly-changing pattern of horrendous and endemic violence. Any plan to divide the country up into a Kurdish proto-state and two entirely artificial and highly unstable "Sunni" and "Shiite" regions would therefore exacerbate sectarian violence, drive the country apart, further damage the state, and encourage regional intervention and interference.[12]

The notion of a de facto division of Iraq also has alarmed neighbours, who would be left to deal with the consequences. Turkey's foreign minister, Abdullah Gül, warned that Iraq's dissolution would force its neighbours to intervene and usher in "an unbelievable new era of darkness".[13] Prince Turki al-Feisal, until recently Saudi Arabia's ambassador in Washington, sounded a similar alarm: "To envision that you can

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[10] "The constitution has sectarianism dripping through every article", commented an Iraqi constitutional expert. "Once implemented, it will make official the civil war that is already taking place." Crisis Group interview, Amman, 16 July 2006. See also, Kanan Makiya, "Present at the Disintegration", *The New York Times*, 11 December 2005, for a bracing critique of the new constitution by an erstwhile fervent advocate of the U.S. war in Iraq.

[11] Peter W. Galbraith, "The Case for Dividing Iraq", *Time*, 5 November 2006.
[12] An International Republican Institute poll in June 2006 found that 78 per cent of Iraqis, including a majority of Shiites, opposed the division of Iraq along ethnic and sectarian lines. "Survey of Iraqi Public Opinion", 14-24 June 2006, available at http://www.iri.org. By contrast, Peter Galbraith has argued that in the December 2005 elections Iraqis "rejected the idea of a unified Iraq" by voting overwhelmingly for ethnically- or sectarian-based parties. Moreover, he argues, "Iraq's new constitution, approved by 80 per cent of Iraq's voters, is a road map to partition." Peter W. Galbraith, "The Case for Dividing Iraq", op. cit. Galbraith's is a misreading of the elections. While these were sectarian in nature, they in no way suggested that Iraqis were expressing a desire for the country to break up. Moreover, most Shiites voted for the United Iraqi Alliance (UIA), but as the wrangle over the federalism bill showed (see below), the UIA's constituent elements are deeply divided about the idea of a Shiite super region in the south, with a majority opposing it.
[13] Quoted in Associated Press, 16 November 2006. A Turkish government official said that Turkey "will not be part of any decision to divide Iraq" and would not accept the redeployment of U.S. forces in northern Iraq, as this would aid Kurdish ambitions to seize Kirkuk and parts of Mosul and other mixed areas with Kurdish populations. Crisis Group interview, December 2006. Brent Scowcroft, a former U.S. national security advisor, said, referring to the partition idea: "For me it is inconceivable. It would be a recipe for chaos and conflict in the region", quoted in *Turkish Daily News*, 9 November 2006.

divide Iraq into three parts is to envision ethnic cleansing on a massive scale, sectarian killing on a massive scale and the uprooting of families. Those who are calling for a partition of Iraq are calling for a three-fold increase in the problems".[14]

A more nuanced and sophisticated proposal has been offered by U.S. Senator Joe Biden and Leslie Gelb, former president of the Council of Foreign Relations.[15] In contrast to Galbraith, they call for maintaining a unified Iraq and a central government responsible for common interests.[16] Accepting the current constitution's notion of federalism, however, they support "establishing three largely autonomous regions – Shiite, Sunni and Kurd". But there is little reason to believe that Sunnis in particular will accept an outcome entailing creation of a super-Shiite region that, in their eyes, a weak central state will be unable to control or manage, notwithstanding anything the constitution might say about the fair distribution of resources. Many will see in this a soft version of partition, and react accordingly. A three-way federal structure also will highlight the boundary questions discussed above, and likely give rise to clashes on this issue.

The most critical question facing Iraq is how to recreate a functioning central state. In this, the Iraq Study Group, though it described in detail a number of problems, underestimated the degree to which the state has become dysfunctional. With only a handful of exceptions, ministries – including the most important ones – have become little more than partisan fiefdoms. Hiring of civil servants is done almost exclusively on the basis of *tazkiyat,* letters of recommendation that are provided by the political movement controlling the ministry in question. Likewise, resources are channelled to specific clienteles.[17]

The politicisation of institutions comes at heavy cost. This is most glaring in the health ministry where Sadrists have dismissed highly qualified Sunnis[18] and interfered at all levels of decision-making, notwithstanding their total lack of experience. A doctor working in a Baghdad hospital said:

> In my opinion, the health sector needs highly competent people. The Sadrists have no experience in this area and do not have an elite capable of leading such a ministry. The consequences are horrendous. Most doctors have left because of the behaviour of the Sadrist clerics. They do not have any medical degree yet interfere in all aspects of our work, including medical diagnoses. Every hospital has its own mullah who gives orders in the name of *wilayat al-faqih* [rule of the jurisprudent] or of who knows what else they come up with.[19]

The interior ministry, in theory responsible for law and order, has done virtually nothing to combat militias, whether in its own midst or outside. Though it was supposed to be integrated into the state security apparatus, SCIRI's militia, the Badr corps (*Faylaq Badr*), continues to operate as before, a fact implicitly acknowledged by one of its members. "Members of Badr are what we now call the ministry's special troops. They act independently of other ministry employees and accomplish missions that are separate from those of other units".[20] More broadly, the ministry has displayed extreme complacency bordering on criminal complicity regarding incidents of sectarian violence that recently have bloodied the capital. Notable among these was the 14 November 2006 attack on the Ministry of Higher Education – headed by a Sunni Arab – in which dozens

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[14] Quoted in Agence France-Presse, 30 October 2006.
[15] The plan can be found at www.PlanForIraq.com. Leslie Gelb also is a member of Crisis Group's Board of Trustees.
[16] Many other aspects of the plan – such as fairly sharing oil revenues and convening an international conference – are similar to those presented in this report.
[17] In the wake of the November 2004 U.S. military operation in Falluja, for example, only the Ministry of Industry, which is in the hands of the (Sunni) Iraqi Islamic Party, actively worked on reconstruction. Crisis Group interview, U.S. commander in charge of reconstruction effort, Washington DC, 10 March 2006. The current government has yet to honour commitments made by its predecessor (the Allawi-led government) to compensate for losses incurred. "Of the total sums that were pledged to those whose goods were destroyed, 30 per cent was provided in 2005, then 20 per cent at the beginning of 2006. The government promised to deliver the rest 'in stages', but repeatedly claims it does not have access to

the area. My uncle, for instance, was promised 18 million Iraqi dinars ($U.S. 12,000) by the government to help him rebuild his house in the Askari neighbourhood of Falluja. He is still waiting". Crisis Group interview, Iraqi originating from Falluja, 2 December 2006. This practice was acknowledged by the Bush administration in a memorandum written by national security advisor Stephen Hadley. See *The New York Times,* 29 November 2006.
[18] "The health ministry is being purged on sectarian grounds. Sunnis are identified and killed, whether in hospitals or in the ministry itself. A few days ago, Ahmad Mohamed, a pharmacist, was killed by militiamen in the ministry parking lot. This was done under the eyes of Iraqi security forces responsible for the ministry's safety, yet infiltrated by militias". Crisis Group interview, Iraqi journalist, 2 December 2006.
[19] Crisis Group interview, hospital doctor, Baghdad, 13 May 2006.
[20] Crisis Group interview, member of the Badr corps, Baghdad, 24 April 2006. Likewise, the Sadrist Mahdi army (*Jaysh al-Mahdi*) openly guards Baghdad gas stations, a task that logically should be assumed by the interior ministry. Crisis Group interview, Iraqi journalist, Beirut, 13 November 2006.

of employees were seized in broad daylight in the heart of Baghdad in the course of an operation involving numerous police cars and armed pickup trucks and which prompted only the mildest official reaction.[21]

It is not even the case that this politicisation of state institutions is helping the Shiite population. The supremacy of Shiites essentially benefits those among them who participate in the violence, while the material needs of their social constituents remain largely unfulfilled. Because it has enjoyed relative calm, the south is faring better economically than Sunni Arab areas. But Shiites still await the oft-promised reconstruction.

> As Shiite Iraqis, we desperately were waiting for the clerics to assume power, we wanted them to save us from Saddam's dictatorship. But today, I find them worse than Saddam. They are corrupt and they are thieves. What are they waiting for to rebuild this city? In Baghdad, they can justify their failure because of the violence. But in the Wasit governorate, we have had no explosion. It is perfectly safe. Why don't they start to rebuild this city? The mayor of Wasit belongs to SCIRI. He has no sense of how much the people are suffering. He doesn't give a damn about us because members of the Badr corps and of SCIRI get paid – not once, but twice. By Iraq and by Iran.[22]

B. A SELF-SUSTAINING CONFLICT

Notwithstanding repeated U.S. proclamations of yet another turning point or milestone, the unremitting and sustained level of violence has amply demonstrated that it has become self-sustaining, immune to episodic military achievements by American forces or to apparent political advances by the Iraqis themselves. Clearly, the violence was triggered, and is now both fuelled and contained by the U.S. military presence.[23] But by now the conflict has developed its own, intrinsic dynamic, together with the means to reproduce and perpetuate itself.

The self-reinforcing cycle of violence has several explanations. The armed groups' and militias' most important source of legitimacy and power has become the conflict's very radicalisation: the more they can point to the extreme violence of the other, the more they can justify their own in terms of protection (of one's community) and revenge (against another). In the absence of a state apparatus capable of safeguarding the population, civilians are caught in a vicious cycle in which they must rely on armed groups. The more the situation deteriorates, the easier it is for these groups to command loyalty and mobilise their political and social constituency: fear of the "other" has, in essence, become their most valuable asset. "The stronger the Sunni radicals become, the stronger become the Shiite radicals. And vice versa".[24]

Since early 2006 in particular, the armed opposition has focused its propaganda on crimes committed against Sunni Arabs, thereby encouraging a siege mentality and promoting its own role as protector of the oppressed population.[25] Shiite militias similarly legitimate their actions by highlighting both the state's deficiency and their resulting responsibility to protect civilians.[26] In short, violence spawns the symbolic resources that its perpetrators need.

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[21] Solomon Moore, "Officials clash over numbers in Baghdad mass kidnapping", *The Los Angeles Times*, 16 November 2006.
[22] Crisis Group interview, employee of the mosque and self-proclaimed follower of Ayatollah al-Sistani, Kut, 29 May 2006. Such testimony is recurrent. "We are extremely disappointed by what has happened since the war. In fact, neither the Italians nor the Iraqis have brought any progress to Nasiriya. Some say it is the Americans' fault insofar as they blocked the reconstruction process; others say it is because of the Iraqis' corruption. Whatever the case, we get forgotten somewhere between the two of them". Crisis Group interview, tribal chief, Nasiriya region, 4 May 2006. Crisis Group heard comparisons to life under Saddam with increasing and troubling frequency in the south, particularly in Basra. But one should take this more as the expression of deep frustration than as a well thought-out assessment or a genuine desire to turn back the clock.

[23] See Crisis Group Report, *The Next Iraqi War?,* op. cit. The notion that the U.S. presence lies at the root of the sectarian violence is widely shared in Iraq, as evidenced in a mid-2006 poll. See "The Iraqi Public on the U.S. Presence and the Future of Iraq", 27 September 2006, available at http://worldpublicopionion.org. Many political actors in Iraq have echoed this view. See *The Los Angeles Times,* 26 November 2006. An Iraqi with close ties to the armed opposition argued that a U.S. withdrawal could help resolve this problem: "I tend to think that when the occupiers leave, the issue of sectarianism will be watered down to a manageable size. I consider sectarianism a symptom rather than a cause. We must tackle the cause, above all the occupation". Crisis Group interview, 30 October 2006.
[24] Crisis Group interview, general secretary of a non-sectarian Iraqi party, Amman, 22 November 2006.
[25] Mathieu Guidere and Peter Harling, "Iraq's Resistance Evolves", *Le Monde Diplomatique,* May 2006.
[26] The notion of "protection" has become a recurring theme in all of the Shiite militias' pronouncements. Crisis Group interviews, members of the Mahdi army, *Hizb al-Fadhila, Harakat Sayyid al-Shuhada',* Basra, August 2006.

This dynamic is clearly manifested in the groups' behaviour. At one level, all sides claim to be targeting narrowly defined, fanatical and brutal enemies who can only be dealt with violently. For the most part, none of the Sunni insurgent groups – not even the jihadis – publicly claims responsibility for attacks against civilian Shiites.[27] *Faylaq `Umar,* a group that was established in late 2005 or early 2006 to retaliate against attacks on Sunnis, professes to focus its operations exclusively on SCIRI's militia, the Badr corps*,* and on the Sadrist Mahdi army (*Jaysh al-Mahdi).* Likewise, Shiite militias and death squads maintain they only go after *Takfiriyin* (i.e. jihadis who consider certain Muslim sub-sects as unbelievers and wish to excommunicate them) or *Saddamiyin* (i.e. followers of the fallen dictator).[28]

Reality is far different. Indiscriminate violence on one side gives rise to indiscriminate violence on the other. The series of attacks targeting the health ministry and Sadr City on 23 November 2006 came about in reaction to the taking of hostages at the ministry of higher education a few days prior; in turn, the attacks set off Mahdi army operations against Sunni mosques. The perverse tendency to define the enemy in broad, communitarian categories is manifested in the groups' respective terminology. The term *rawafidh* (heretics who refuse to recognise the first Islamic caliphs) initially used by jihadi followers of Abu Mus'ab al Zarqawi, the leader of *Tandhim al-Qaeda* gradually has been taken up by most Sunni Arab imams to designate Shiites generally.[29] By the same token, Shiites increasingly invoke the term *Nawasib* (usurpers, i.e. people who stole power from those they consider the Prophet's legitimate successors) to describe Sunnis as people who reject or despise descendants of Imam Husayn.[30]

Violence also is self-generating insofar as it yields material resources required to sustain the conflict. The armed opposition is engaged in myriad lucrative activities, including hostage taking and racketeering, such as the extortion of insurance money in exchange for providing security to merchandise trucks crossing through Anbar province.[31] The U.S. administration only belatedly realised this after having insistently highlighted the allegedly key role of outside financial support to the armed opposition, notably by Syria and Iran.[32] More generally, the U.S. and the Iraqi government have tended to view the insurgency as having external roots – in a transnational jihadi network, a Damascus-based Baathist control centre, or both. In reality, Iraqi armed groups have at their disposal a wide array of replenishable resources, including weapons,[33] volunteer combatants[34] and funds.

The same goes for Shiite militias, whose ties to and dependence on Iran often are exaggerated, particularly by Sunnis. They too have developed a high degree of self-sufficiency. In Basra, for example, militias and tribes have divided up specific revenue-generating activities, such as those associated with port traffic or the oil industry; entrepreneurs involved in reconstruction efforts are systematically victims of extortion; and

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[27] As a general matter, there are no claims of responsibility for operations targeting holy sites or pilgrims. All claims put out by insurgent groups through their official communication outlets relate only to specified and militarily significant targets – which obviously doesn't mean that these groups are innocent of other kinds of attacks.

[28] In the case of the Sadrists, see Crisis Group Middle East Report N°55, *Iraq's Muqtada al-Sadr: Spoiler or Stabiliser?,* 11 July 2006.

[29] On use of the term *rawafidh* by Zarqawi, see Crisis Group Middle East Report N°50, *In Their Own Words: Reading the Iraqi Insurgency*, 15 February 2006. On its current use by Sunni Imams, see Crisis Group interview, resident of Sunni neighbourhood of Al-A'dhamiya, Beirut, 5 June 2006.

[30] See Peter Harling and Hamid Yasin, "La mouvance Sadriste en Iraq: Lutte de classes, millénarisme et *Fitna*", in Sabrina Mervin (ed.), *Les Mondes Shiites et l'Iran* (forthcoming).

[31] Such guarantees reportedly do not cover goods intended to reach coalition forces or the Iraqi government. Crisis Group interview, Iraqi businessman, Amman, 11 June 2006.

[32] See "U.S. Finds Iraq Insurgency Has Funds to Sustain Itself", *The New York Times,* 26 November 2006. The administration never provided concrete evidence to support its contention regarding Iranian or Syrian financial support. Nor has it had much to say about alleged Saudi support to Sunni groups.

[33] The price of weapons has significantly risen in 2006; in October, a Kalashnikov reportedly cost some $400, a fourfold increase as compared to a "normal" base line. In 2006, prices surged in Basra when various groups (e.g. the Shaykhiya minority and *Hizb al-Fadhila)* set up their own militias. A weapons shortage currently is reported in some areas, most notably Baghdad, Mosul, and Ramadi. But, all in all, such inflationary pressures reflect a steep increase in demand rather than a rapidly decreasing supply. Existing stocks undoubtedly could fuel the violence for many more months, and inevitably will be replenished through smuggling at Iraq's porous borders.

[34] This is true even of jihadi groups, as illustrated by *Tandhim al-Qaeda*'s evolution in 2006. The broadening of its recruitment base, together with more systematic and intensified coalition efforts to eliminate its cadres – many of whom initially were so-called Arab Afghans or foreign fighters – have combined to give rise to a new generation of Iraqi-born leaders, often young, lacking in experience and highly radicalised. This trend has complicated the organisation's relationship with other armed groups. "Some `Emirs' are only 20 or 25 years old, don't know a thing about religion or politics, or military strategy. Their only logic is: `there's the enemy, I will fight him, and I will go to paradise'. Relations with the civilian population, the human context, have no place in their worldview". Crisis Group interview, member of the armed opposition with close ties to several groups, 3 November 2006.

abductions have become a full-time occupation. In central Iraq, and chiefly Baghdad, anti-Sunni violence is a source of considerable funds. Militias regularly take possession of their victims' belongings[35] or seek compensation from their families for the restitution of their bodies.[36]

The carving up of Iraq's territory into homogeneous sectarian zones, separated by de facto front-lines, is another contributing factor. As a result of this process, which accelerated in spectacular fashion in 2006, what were once mixed neighbourhoods – and whose identity as chiefly Sunni or Shiite areas would have been impossible to presume prior to the war – are no more, replaced by essentially uniform zones.[37] Baghdad offers the most vivid example. As described by its inhabitants, the capital is now clearly split between the western bank of the Tigris (al-Kharkh), predominantly Sunni, and its eastern bank (al-Rusafa), primarily Shiite. Nevertheless, as noted above, large minority enclaves remain on both sides. The urban belt surrounding Baghdad is experiencing the same process of sectarian cleansing, with locales now defined as either Sunni or Shiite, clear demarcation zones, and, as a result, significantly heightened tensions. As an Iraqi journalist with close ties to *Jaysh Ansar al-Sunna,* a Sunni armed group, put it, "civil wars don't erupt immediately between neighbours who have known each other for a long time. First you need segregation and the appearance of clear front lines that divide mutually resentful and alienated populations. That allows for more structured and violent fighting".[38]

Population transfers toward homogeneous areas inevitably intensify confessional divides, entrenching stereotypical and uni-dimensional perceptions of the once familiar "other". As a result, they reinforce the hold of political actors whose legitimacy is a function of inter-sectarian violence.[39] Moreover, as is typical of conflict situations,

displaced persons tend to participate in operations aimed at the area they have fled, with armed groups taking advantage of both their superior knowledge of the terrain and their extreme resentment. Territorial polarisation also makes possible a transformation in the nature of warfare: from individual killings to mortar attacks, labour-intensive operations, and other highly indiscriminate forms of violence.

Some observers argue that this sectarian division into homogeneous locations, by clarifying Iraq's human geography and reducing potential conflict zones, could be a pathway toward the country's eventual stabilization. As explained above, this is false. There remain countless disputed areas, resolution of which necessarily would entail far greater and more savage levels of violence than currently is occurring. The capital's confessional distribution, to take one example, is in no way settled; various armed groups appear to be gearing up for a protracted battle for control of Baghdad, evidenced in numerous instances of population transfers and challenges to the existing sectarian make-up.[40] At the very least, current confessional boundaries will be fiercely fought over.[41] In this respect, the large Sunni and Shiite enclaves that remain in confessionally "opposite" areas are likely to be both at the receiving end of violent raids and at the origin of violent reprisals. The two most sensitive cases are al-A'dhamiya – a Baghdad neighbourhood that is critically important to Sunnis, but happens to be on its "Shiite" bank – and al-Kadhimiya – a Baghdad neighbourhood that is critically important to Shiites, but happens to be on its "Sunni" bank.[42]

Among other hotly disputed areas is Samarra', a city north of Baghdad that hosts important Shiite shrines in

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[35] See Crisis Group Report, *Iraq's Muqtada al-Sadr,* op. cit., p.19.
[36] Calls made by citizens for financial help to recover the bodies of their relatives have become a regular feature of Sunni militant websites.
[37] In November 2006, indiscriminate mortar attacks occurred routinely between al-Qahira and Slaykh, two neighbourhoods once indistinguishable in terms of their sectarian composition and now clearly Shiite in the former case, Sunni in the latter.
[38] Crisis Group interview, Iraqi journalist, 11 July 2006. This lucid analysis should not be misunderstood as a prescription for future insurgent tactics. To the contrary: although sympathetic to the insurgency, the journalist made clear is deep distress at the unfolding dynamic.
[39] Ashraf al-Khalidi and Victor Tanner, "Sectarian Violence: Radical Groups Drive Internal Displacement in Iraq"*,* Brookings Occasional Paper, October 2006. It is worth noting that sectarian violence is not alone responsible for the high

number of displaced Iraqis. U.S. military operations also play an important role.
[40] According to members of Sunni armed groups, the Mahdi army has been systematically targeting Sunni entrepreneurs in Baghdad in order to undermine the economic support base of its Sunni Arab residents and compel them to flee. Specifically, parts of Ghazaliya – a now essentially Sunni Arab neighbourhood – reportedly have come under Shiite control. Crisis Group interviews, November 2006.
[41] Members of the Mahdi army clearly indicated they could not accept the existing situation in the Dora neighbourhood, which is now under the control of the Sunni armed opposition. They claim they will retake it by force, "as soon as the Americans will stop protecting it". Crisis Group interviews, Baghdad, April/May 2006. U.S. forces have surrounded the neighbourhood with a wall in order to maintain the status quo.
[42] In the aftermath of the brutal 23 November 2006 attacks against Sadr City which led to over 200 deaths, Shiite reprisals focused on the Sunni mausoleum of Abu Hanifa, in al-A'dhamiya, which has highly symbolic value, and is also easily accessible.

the midst of Sunni territory, whose "loss" Shiites would not countenance.[43] Moreover, a string of Sunni cities – including Yusifiya, Mahmudiya, Iskandiriya – lie vulnerable and exposed, between Baghdad on the one hand and major Shiite sanctuaries of Najaf and Karbala on the other; should U.S. troops withdraw, wholesale massacres cannot be ruled out. Northeast of Baghdad, Diyala governorate also remains a confessionally mixed region, a blend of Arabs, both Sunni and Shiite, as well as Kurds that can be neither easily nor peacefully sorted out. Finally, should tensions rise between Arabs and Kurds, Kirkuk and adjoining areas rapidly would become another zone of brutal conflict.[44]

The duplicitous attitude of Iraq's elites is yet another reason for the cycle of violence. Routine denunciations of sectarianism notwithstanding, many in fact profit heavily from current dynamics or, at the very least, would risk too much by actively opposing them. Harith al-Dhari, the Sunni Imam who heads the Muslim Scholars Association, has only mildly condemned suicide attacks against civilian targets or the assassination of civil servants (such as hospital workers), even though both forms of practice are widely denounced (in private at least) by the armed opposition itself, jihadis excepted. Muqtada al-Sadr, who preaches national unity and repeatedly calls for Shiite/Sunni cooperation, conveniently blames massive resort to sectarian killings by his own Mahdi army on renegade members. Even Ayatollah Ali al-Sistani, often described as the principal force holding back Shiites from all-out revenge, has tended to remain vague when evoking the murder of Sunnis. Unable to satisfy their constituents' security and economic needs and unwilling to take genuine steps to stem the unfolding dirty war, members of Iraq's elite shore up their legitimacy and power by relying on the sectarian conflict itself, conveniently blaming the "other" or the U.S. for its perpetuation.

Among Iraqis, the feeling is widespread that the violence is more a function of expedient calculations by politicians obsessed with their short-term survival than of deep-seated and long-term animosity between Sunnis and Shiites. In official statements and private interviews, Iraqis repeatedly and consistently maintain that the violence reflects a power struggle rather than a civil war

in the sense that it does not oppose civilians per se but political actors who are fighting at civilians' expense.. This does not mean that Iraq is not, in fact, in the middle of a civil war; such wars often involve armed groups enjoying scant popular support, with largely passive populations being caught in the crossfire. But it runs counter to the view that the conflict grows out of deeply entrenched sectarian loyalties at the popular level.

> The roots of violence can be traced, above all, to the language of political leaders. That has been the most damaging phenomenon of all. Extremist discourse preceded the country's fragmentation, not the other way around. If you want to understand, just look at the parliament. From the outset, everyone took his place in the chamber based on his "community". It's a war between political parties, not a civil war. Coexistence among communities existed for far too long for one Iraqi to kill his neighbour out of sheer sectarian hatred. Behind all of today's crimes are political goals, a partisan agenda.[45]

Increasingly indifferent to the country's interests, its political leaders gradually are becoming warlords when what Iraq desperately needs are national leaders.

Analyses of the Iraqi conflict tend to divide it into two, a Sunni Arab insurgency directed at the U.S. occupation on the one hand, and a civil conflict between Sunnis and Shiites on the other. Under this view, two steps – a U.S. withdrawal combined with some form of accommodation between the two confessional groups, whether through a political deal or, in some versions, geographic partition – are required to end the conflict. But this is an incomplete and, it follows, misleading interpretation. The violence currently afflicting Iraq is many-sided and multilayered and cannot be so neatly categorised. The emergence and growth of a multiplicity of armed groups has led to increasingly coercive relations with their respective constituencies. Sadrists, for example, regularly are accused of extorting merchants in neighbourhoods they control, demanding a financial contribution in exchange for protection. Likewise, the Sunni armed opposition encourages so-called voluntary donations to combatants – in reality, protection money that passes as fulfilment of a religious duty. On both sides of the Sunni/Shiite divide, groups also are forcibly imposing conservative and repressive social mores.

More significant has been the intensification of intra-sectarian tensions that give rise to fratricidal clashes. Unity among Shiite militias is relatively strong in

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[43] According to a Sunni who is sympathetic to the armed opposition, the Mahdi army has been seeking to consolidate its position in Samarra'. Crisis Group interview, 18 October 2006. A February 2006 attack on the Samarra' shrine – for which there never has been a claim of responsibility – was a turning point in the sectarian violence. See Crisis Group Report, *The Next Iraqi War?,* op. cit.
[44] See Crisis Group Middle East Report N°56, *Iraq and the Kurds: The Brewing Battle over Kirkuk,* 18 July 2006.

[45] Crisis Group interview, constitutional law professor, Baghdad University, 19 October 2006.

Baghdad, where they face a common Sunni enemy, but weakens the further one is from the capital. Elsewhere, disputes can be quite passionate and often turn violent. In al-Amara, an apparently minor incident in October 2006 triggered a bloody cycle of reprisals between the Mahdi army and SCIRI's Badr corps – a symptom of far deeper strains.[46] Both Shiite paramilitary groups are engaged in a dangerous tug-of-war over the holy city of Najaf.[47] Basra, a major oil-producing city, has experienced its own murderous conflict which has little to do either with inter-confessional or anti-occupation dynamics. Rather, it reflects competition between a multitude of Shiite militias over local assets, most prominently oil-related – itself a reflection of the absence of a functional state that can peacefully and fairly redistribute resources and impose the rule of law.

Even the current seeming harmony between insurgent groups is tactical and short term, motivated by the immediate and urgent priority of fighting the occupation. In the longer-run, once U.S. forces have withdrawn, this superficial unity undoubtedly will fade away. The jihadis' outlook rapidly would collide with the more pragmatic views of fighters who, albeit religious, are more interested in Iraq's future than in the eventual spread and triumph of Islam.[48] Indeed, the differences run deeper than that: "Neither so-called nationalists nor so-called jihadis are united. They both encompass different

currents".[49] In the words of an Iraqi intellectual with ties close to the new Baath party leadership, "resistance groups agree about little other than the liberation of Iraq and have no understanding or experience of democracy. Most likely, they would fight among themselves in a liberated Iraq".[50] In short, each of the broad communities analysts frequently refer to in describing Iraq is deeply divided in complex and multiple ways.[51] These divisions in all likelihood will grow more severe the more the nation breaks apart.

C. POTENTIAL SPILLOVER EFFECTS

As it approaches its fifth year, the conflict has become both a magnet for deeper regional interference and a source of greater regional instability. As the security vacuum has grown, various neighbours and groups have sought to promote and protect their interests, prevent potential threats, and pre-empt their counterparts' presumed hostile actions. Conversely, for jihadi groups Iraq is now the principal arena of struggle, offering the possibility of a resounding victory over the U.S. and the promise of even greater strides in the Arab world.[52]

In principle, neighbouring countries and other regional powers share a common interest in containing the conflict and avoiding its ripple effects. But, divided by opposing agendas, mistrust and lack of communication, they so far have been unable to coordinate strategies to that effect. Most damaging has been competition between the U.S. and Iran and the conviction in Tehran that Washington is seeking to build a hostile regional order. As a result, instead of working together toward an outcome they all could live with (a weak but united Iraq that does not present a threat to its neighbours), each appears to be taking measures in anticipation of the outcome they all fear – Iraq's descent into all-out chaos and fragmentation. By increasing support for some Iraqi actors against others, their actions have all the wisdom

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[46] After the murder of the local head of intelligence, a member of the Badr corps, his family took a local Mahdi army chief hostage. In turn, the Sadrists attacked SCIRI-controlled police headquarters. Ultimately, some fifteen people were killed and several dozen wounded. See Anthony H. Cordesman, "Iraq's Sectarian and Ethnic Violence and the Evolving Insurgency: Developments in the Early Fall of 2006", Center for Strategic and International Studies (CSIS) report, 26 November 2006. On relations between the SCIRI and Sadrists, see Crisis Group Report, *Muqtada al-Sadr,* op. cit.

[47] See Crisis Group Report, *Muqtada al-Sadr,* op. cit., p.21.

[48] See Crisis Group Report, *In their Own Words,* op. cit.*,* pp.12-13. The tactical convergence described in that report appears to hold according to an Iraqi with close ties to various opposition groups, *Tandhim al-Qaeda* included. "The worsening of relations between *Tandhim al-Qaeda* and other groups has been exaggerated, even though there clearly are tensions. Most groups believe that a confrontation with *Tandhim al-Qaeda* is a U.S. objective, and therefore they reject this game. Some, most notably Abdul Sattar Baziya of the Abu Risha tribe, have accepted it, but they are widely perceived as collaborators. The current stage requires unity, even between Sufis and Salafis, and despite fundamental doctrinal differences". Crisis Group interview, 3 November 2006. This may explain why tensions reported between *Tandhim* and other Sunni groups have remained within manageable bounds.

[49] Crisis Group interview, member of the armed opposition, 3 November 2006. The 28 October 2006 joint statement announcing the establishment of a "unified political command of the Iraqi resistance", supposedly bringing together groups and individuals perceived as "nationalists", swiftly was denied by several of its purported signatories. A member of the new leadership of the Iraqi Baath party acknowledged that the proclamation was based on preliminary discussions and was "premature". Crisis Group interview, 2 November 2006.

[50] Crisis Group interview, Iraq intellectual, October 2006.

[51] For an analysis of the Shiites, see Peter Harling and Hamid Yasin, "Iraq's Diverse Shiites", *Le Monde Diplomatique,* September 2006.

[52] See Thomas Hegghammer, "Global Jihadism After the Iraq War", *Middle East Journal,* vol. 60, no. 1, winter 2006.

of a self-fulfilling prophecy: steps that will accelerate the very process they claim to wish to avoid.[53]

As the past three and a half years have shown, every regional actor has its own favoured players inside Iraq whose activity it can support and encourage. Iran can find willing friends among Shiites, the Arab states among Sunni Arabs, and Turkey among the Turkomans. Neighbouring states might recruit *agents provocateurs* in any of these communities, including the Kurds (who have no external sponsor). Should it feel its interests at risk, Iran, with its lengthy shared border, strategic interests and huge assets in Iraq, could do far more to bolster its allies than it has endeavoured to do so far, and far more to hurt U.S. forces.[54] Likewise, Syria, headwaters to a steady flow of insurgents (whether foreign jihadis or former regime elements) through the Euphrates valley, at least in the past, could open the tap much further than it appears to have done until now.[55] Turkey could respond to Kurdish moves on Kirkuk by sponsoring armed activity among communities hostile to Kurdish territorial designs.

Saudi Arabia, fearing Iranian domination of oil-rich southern Iraq and a Shiite backlash in its own Eastern

Province, could offer direct support to Sunni insurgents intent on fighting Iran and its perceived Iraqi proxies, thereby escalating the civil war.[56] Should the conflict's regionalisation occur along these lines, the three alleged blocs – Kurds, Sunni Arabs and Shiites – are likely to break up into a number of opposing sub-groups, each backed by its own regional sponsor.

Having established a fertile haven in Iraq, jihadism has been metastasising and spreading. Much as, at the outset, so-called Arab Afghans such as Abu Mus'ab al-Zarqawi helped import jihadism to Iraq, insurgent skills, methods and discourse are now being developed in and exported out of Iraq. Suicide attacks or the use of more sophisticated improvised explosive devices (IEDs) are known to have made their way to Afghanistan.[57] It is not so much that Iraq harbours insurgent training camps, although the armed opposition claims that to be the case. Rather, the war gave insurgents the opportunity to elaborate relatively sophisticated military doctrines, more flexible, effective and capable of being adapted to other conflict zones.[58] Actively engaged in propaganda and proselytisation, the armed groups have set up highly developed means of communication that are being duplicated elsewhere.[59] Moreover, the various transnational networks once formed to bolster the jihadi insurgency in Iraq – involving the transfer of both funds and fighters –

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[53] "Iran has set up an extensive network of safe houses, arms caches, communications channels, agents of influence, and proxy fighters, and will be well positioned to pursue its interests in a full-blown civil war if it comes to that. The Sunni powers of Saudi Arabia, Jordan, Kuwait, and Turkey are all frightened by Iran's growing influence and presence inside Iraq and have been scrambling to catch up. They have begun to create a similar network, largely among Iraq's Sunni population. Turkey may be the most likely country to intervene overtly. Turkish leaders fear both the spill-over of Turkish secessionism and the possibility that Iraq is becoming a haven for the PKK…Thus, it seems highly likely that there will be a heavy international component in any Iraqi civil war. What's more, none of Iraq's neighbours believe that they can afford to have the country fall into the hands of the other side". Daniel L. Byman and Kenneth M. Pollack. *Things Fall Apart. What do we do if Iraq Implodes?*, *The Washington Post,* 20 August 2006.
[54] Arguably, Iran has refrained from doing this because it has had no persuasive reason to. Its strategy has been to keep the situation in Iraq on a low boil. Greater U.S. pressure on Iran to abandon its suspected military nuclear program, either through sanctions or bombing of nuclear sites, could convince Iran to inflict significant damage on U.S. interests in Iraq, Afghanistan or Lebanon. For analysis, see Crisis Group Middle East Report N°38, *Iran in Iraq: How Much Influence?*, 21 March 2005.
[55] Despite U.S. and Iraqi claims to the contrary, Syria appears to have stemmed to a large extent the flow of militants toward Iraq. See "Emerging Syria 2006", Oxford Business Group. Diplomats stationed in Damascus generally agree that the accusations have been significantly exaggerated. Crisis Group interviews, Damascus, September-December 2006.

[56] In a strikingly blunt threat, Nawaf Obaid, an advisor to the Saudi government, wrote that in the event of a U.S. withdrawal, "the Saudi leadership is preparing to substantially revise its Iraq policy. Options now include providing Sunni military leaders (primarily ex-Baathist members of the former Iraqi officer corps, who make up the backbone of the insurgency) with the same types of assistance – funding, arms and logistical support – that Iran has been giving to Shiite armed groups for years. Another possibility includes the establishment of new Sunni brigades to combat the Iranian-backed militias". *The Washington Post*, 29 November 2006. Although his views subsequently were criticised by the Saudi government and his position as an adviser rescinded, other Saudi officials have implicitly confirmed this stance. *The New York Times*, 13 December 2006.,
[57] Suicide attacks were not carried out in Afghanistan during the fight against the Soviet occupation. Along with the introduction of improvised explosive devices (IEDs), their introduction in Afghanistan explains the sharp increase in coalition fatalities in 2005. "Sometimes suicide bombings and IEDs show the kind of sophistication and techniques that suggest outside experience and knowledge, though in the main they remain inefficient compared to Iraq". Crisis Group interview, UN security official, Kabul, 4 December 2006.
[58] See Crisis Group Report, *In Their Own Words,* op. cit., pp.23-26.
[59] One example is Algeria's Salafist Group of Preaching and Combat (GSPC). See Mathieu Guidère, "Algeria's al-Qaeda Franchise," *Le Monde Diplomatique,* November 2006.

are now operating in reverse direction, presenting a serious threat to neighbouring countries.[60]

Iraq's sectarian tensions also are spreading throughout the region. They are exacerbating a Sunni-Shiite divide that – from Jordan King Abdullah's unfortunate warnings about a Shiite crescent to Saudi adviser Nawaf Obaid's threat that Riyadh might step in to help Sunnis fight Shiites in Iraq – is fast becoming the dominant lens through which Middle East developments are apprehended. The most serious repercussions are felt in confessionally mixed societies, such as Lebanon, Syria and some Gulf countries. Contrasting reactions to Zaqawi's killing on 7 June 2006 in the Lebanese city of Tripoli are an apt illustration: whereas Sunni neighbourhoods mourned his death, sweets were handed out in Shiite areas. But there are indirect implications elsewhere, in places like Jordan and Egypt, where anti-Shiite prejudices are openly vented, including at the highest levels.[61] Ethnic aspirations also have been emboldened, most prominently by Kurdish advances in Iraq, encouraging activism by fellow Kurds in Syria, Turkey and Iran**.**

At a practical level, the war already has led to a spiralling number of Iraqi refugees, who often bring with them criminality, gang violence, and, of course, jihadi militancy, all of which stretch the capacity of host country security services.[62]

Consequences of the conflict's further regionalisation could be catastrophic. As outside actors deepen their involvement and the civil war bleeds out of Iraq's borders, the outcome – in terms of loss of life, refugee flows and economic devastation – could dwarf anything witnessed so far. Although comparisons are made with the Lebanese civil war, the potential for regional destabilisation is of a different magnitude altogether given the conflict's international dimensions, links to the U.S.-Iranian struggle, Iraq's strategic importance, the presence of oil, and an already extremely volatile climate in Palestine, Lebanon and elsewhere.

One of the more perilous prospects is that of renewed conflict along an Arab/Persian divide. Iran's growing influence in Iraq, coupled with its nuclear program and Hizbollah's performance in the recent Lebanon war, has magnified the threat perception among Arab countries in general and Gulf monarchies in particular to a disproportionate and dangerous extent.[63] This perception, in turn, leads them to adopt policies that are viewed as highly hostile in Tehran. U.S. and Israeli suggestions of a possible alliance with Sunni Arab states against Iran only further fuel this dynamic. The more it develops, the more Iraq will become the theatre of deadly proxy wars waged by others. Should this happen, the U.S. would be fighting a difficult and highly unpredictable battle. As the past few years have demonstrated, it is a battle that Tehran – enjoying superior familiarity with Iraq, gaining leverage by the day as Washington loses its own, and possessing numerous pressure points throughout the region – would wage with considerable assets.

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[60] The attacks perpetrated against hotels in Amman, Jordan, by Iraqi militants were one of the most spectacular illustrations. See Crisis Group Middle East Report N°46, *Jordan's 9/11: Dealing with Jihadi Islamism,* 23 November 2006.

[61] In December 2004, King Abdallah of Jordan evoked the "Shiite Crescent"; Egypt's President Hosni Mubarak later went further by claiming that, "historically", Shiites in the Arab world were more faithful to Iran than to their home countries**.** Interview given to *The Washington Post,* 7 December 2004 and *Al-Arabiya*, 8 April 2006, respectively.

[62] According to the UN High Commissioner for Refugees, over one million Iraqi refugees of all religious backgrounds have poured into Syria, Jordan and Lebanon. Given the tens of thousands of Iraqi refugees entering Syria, each month, for example, one must wonder how the security apparatus will be able to consistently screen them, infiltrate militant networks, and keep an eye on their activities.

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[63] Crisis Group interviews, Riyadh, 10-11 July 2006.

III. RECONSTRUCTING THE STATE

A. THE NEED FOR A NEW POLITICAL COMPACT

The existing political process is incapable of generating the compromises required to re-stabilise the country and rebuild institutions that have decayed, been corrupted and are today unable to either provide security or distribute goods and services. Its frontispiece, the constitutional review, can only disappoint: review committee members will at most tinker with a text that has done so much to polarise society. There are two reasons for this. Iraq's ruling elite has shown no sign it appreciates the need for a true accommodation; instead, each group has used the constitutional process to further its own over any national interest. Moreover, the agreed procedures for reviewing the constitution limit the scope of any modifications. The same rules that applied in drafting the constitution obtain in revising it: where a two-thirds majority in three governorates would have defeated the constitution in a popular referendum in October 2005, the constitution's principal drafters – the two majority Kurdish parties and the Supreme Council for the Islamic Republic in Iraq (SCIRI), one party on the Shiite list – will now be able to resist any amendments through the same process.[64] This likely will prove an insurmountable threshold for Sunni Arabs, who staked their participation in the political process on the prospect of reversing the constitution's most harmful provisions.

The agreement to undertake an early constitutional review grew out of late September and early October 2005 negotiations, immediately following passage of the draft constitution through the transitional national assembly. It was based on a belated recognition that the exclusion of any major community would jeopardise the country's future. Mediated by U.S. Ambassador Zalmay Khalilzad, the agreement provided for Sunni Arab parties' participation in both the 15 October constitutional referendum and 15 December national elections in exchange for a four-month constitutional review to begin immediately following the new council of representatives' first post-election session.[65]

In the event, the constitution was approved and national elections held, but no constitutional committee was established and no review took place.[66] This led to a renewed Sunni Arab threat to boycott parliament. In early October 2006, exactly a year after the first agreement, a second compromise was worked out. This entailed the immediate creation of a constitutional review committee that would have several months to propose constitutional amendments,[67] as well as a postponement by eighteen months of any effort to create federal regions, in exchange for the Sunni Arab parties' dropping their boycott threat.[68] This in turn allowed the Kurdish-SCIRI alliance to pass a law on 11 October setting up a mechanism for creating new federal regions,[69] with the understanding that the law's implementation would be postponed for eighteen months. The vote on the law was conducted behind closed doors and triggered a boycott by its main opponents, a loose alliance of Sunni Arab parties, Sadrists, the Fadhila party, independents and members of Iyad Allawi's secular list.[70] It passed by two

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[64] Article 142 (4) of the constitution reads: "The referendum on the amended articles shall be successful if approved by the majority of voters, and if not rejected by two-thirds of voters in three or more governorates".

[65] Article 142 (1) of the constitution reads: "The council of representatives shall form at the beginning of its work a committee from its members representing the principal components of Iraqi society with the task of presenting to the council of representatives, within a period not to exceed four

months, a report recommending necessary amendments to the constitution; the committee shall be dissolved after a decision is made regarding its proposals".

[66] An independent Iraqi observer of the review process commented in July 2006: "The constitutional review has been postponed, but there has been no formal decision. They are just letting it slide. Should they want to take a formal decision, they would first have to amend the constitution, which they could do only by referendum. So now they are violating the provision that the council of representatives should create a review committee at the outset of its work. This being the case, some are now saying that a second violation – extending the review period beyond four months – is no longer an issue, because the precedent has been set". Crisis Group interview, Amman, 13 July 2006.

[67] In a remarkably elastic interpretation of the constitution, the council of representatives set a period of twelve months between the start of the constitutional review and the popular referendum to ratify its package of amendments. This includes four months for the committee's review, two months of parliamentary recess in early 2007, four months for deliberation in the full council of representatives, and two months between the council's approval and the referendum. The committee considers itself to have been constituted on 15 November 2006 and has set itself a deadline of 15 May 2007 (i.e., including the recess) to refer its recommendations to the full council.

[68] *The Washington Post*, 25 September 2006.

[69] See Reidar Visser, "Another Iraqi Deadline Passes", 17 September 2006, and "The Draft Law for the Formation of Regions: A Recipe for Permanent Instability in Iraq?", both available at http://historiae.org.

[70] All these political actors oppose the kind of federalism pursued by SCIRI, but agree on little else. According to Sheikh Fateh al-Ghitta, an independent member of the UIA, the Fadhila party, which dominates the political scene in Basra, opposes a Shiite super region in the south because it knows that SCIRI would dominate it. Instead the party supports a three-governorate region of Basra, Amara and

votes (the number of votes cast and other details remain controversial).[71]

Passage of the federalism law offers an apt preview of the obstacles that those who wish to change the constitution face. Even if a nationalist alliance could be stitched together from Sunni Arab parties,[72] the Sadrist movement, secular parties and independents, it would at most gain a narrow majority. While this would suffice to push through constitutional changes on federalism and other critical issues, it would not be enough to overcome a Kurdish/SCIRI-led veto in a subsequent referendum, as the Kurds alone could easily muster a two-thirds' majority "no" vote in the three governorates they control.[73]

As currently conceived and with the present set of actors, the political process, if it moves forward at all, is most likely to produce further polarisation.[74] Through

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Naseriya, where it is strong. The Sadrists keep changing their position but prefer decentralisation by current governorates. As for UIA independents, "the *marja'iya* [Ayatollah Ali al-Sistani] has not weighed in but the fact that it has not approved southern federalism is significant". Crisis Group interview, Amman, August 2006.

[71] "This was the first time a law was passed without prior consensus", remarked a government official, whose party voted in favour. "This is very bad. There is no trust. They should have reached agreement before the vote, one way or the other." Crisis Group interview, Amman, 3 November 2006. Also, Crisis Group telephone interview, member of the council of representatives for the UIA, Baghdad, 18 October 2006, who claimed that the (Sunni Arab) Iraqi Consensus Front had backed out of an agreement with the (Shiite) UIA to put the draft federalism law to a vote. See also, Reidar Visser, "Iraq Federalism Bill Adopted Amid Protests and Joint Shiite-Sunni Boycott", 12 October 2006, available at http://historiae.org.

[72] Not all Sunni Arab parties may sign on. There was talk in Baghdad in December 2006 of a possible new ad hoc alliance of SCIRI, the Kurds and the (Sunni) Iraqi Islamic Party. *The New York Times*, 12 December 2006.

[73] In the two national elections in 2005, as well as the constitutional referendum, Kurds in Suleimaniya, Erbil and Dohuk obeyed their leadership's instructions, turning out in high numbers and voting according to perceived Kurdish national interests. The two-thirds-majority-in-three-governorates clause was originally designed by Kurdish politicians on the Interim Governing Council (July 2003-June 2004), and inserted into the interim constitution, the Transitional Administrative Law of March 2004, to protect the Kurds from the will of the majority in the referendum on the permanent constitution. They ended up not needing it, having become kingmakers following the January 2005 elections to a constituent assembly. Instead, and not without some irony, it was the Sunni Arabs who needed and used, this provision – unsuccessfully, as it turned out.

[74] The constitutional review has still not begun, although the council of representatives established a 25-member committee, with SCIRI's Humam Hamoudi reprising his role of chairman.

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either violence or eventual implementation of the federalism law, the country is likely to descend into further chaos, with grave risk of break-up, cross-border spill-over and regional war. Other initiatives to address the crisis have failed. Prime Minister Nouri al-Maliki's much-touted reconciliation plan withered on the vine, while his proclaimed amnesty incongruously excluded anyone with blood on his hands.[75] Key stakeholders refrained from supporting the Mecca ten-point peace declaration between Sunni and Shiite clerics on 20 October 2006,[76] while intermittent talks between the Maliki government and insurgents have proved meaningless – hardly a surprise given the government failure to implement even those measures that had been agreed and would have given Sunni Arabs a genuine stake in the current political system, such as starting the constitutional review.

Furthermore, a major international initiative, the International Compact for Iraq, has been justifiably criticised as overly focused on economic matters. Hatched following the formation of the Maliki government in May 2006, it appears to have been an attempt by the U.S., its most energetic promoter, to facilitate an early exit of its troops through stepped-up international development assistance. However, the absence in the plan of a major political dimension, such as an Iraqi conference aimed at forging a political compromise, dooms it to failure. Even before the plan, the combination of economic assistance and military operations without a muscular diplomatic effort to bridge the widening gap between the parties proved ill-fated; to now add more funds and increase military operations – for example, to pacify Baghdad by crushing the Sadrists – would do little to reverse this trend, as events showed in October and November, with their highest death toll yet.[77]

The political system and constitution have proved to be self-defeating, in the sense that they have increased the likelihood that what is left of the state will collapse. The

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A government official noted pessimistically that the review, once started, "will end in a shambles, and nothing will be implemented." Crisis Group interview, Amman, 4 November 2006.

[75] "The plan is open to all those who want to enter the political process to build their country and save their people, as long as they did not commit crimes", Prime Minister Maliki, presenting his plan to the parliament, quoted in BBC Online, 25 June 2006.

[76] Voice of America (VOA) News, 21 October 2006. Arguably, such exercises as the Mecca meeting may serve to reduce tensions but will fail to settle the basic conflict, which concerns power and access to resources, not religious differences.

[77] Crisis Group interview, an Iraqi government adviser, Amman, 1 December 2006.

U.S. has, under the most favourable interpretation, acted as an impotent bystander, waving signs of "progress" as evidence that the country was moving toward participatory democracy even as it was descending into an inferno of sectarian violence and lawlessness. It has claimed it cannot intervene, or undertake any action contravening the constitution, because of its respect for Iraqi sovereignty, whereas the practice has been that it intervenes, with little respect for such sovereignty, whenever its interests dictate.

The national compact should encompass compromises on the main issues dividing Iraq's principal constituencies while guaranteeing the rights of smaller minorities; these compromises should then serve as the basis for amendments to the constitution as part of the review process.[78] Chief among these questions is the nature of the political system: what sort of federal state should Iraq be? Two equally important concerns follow: the degree of decentralisation required and the sharing of natural resources. Other issues needing redress are de-Baathification, a national amnesty, the fate of former army members, a new electoral law, the status of Kirkuk, and the presence of foreign troops as well as a new status-of-forces agreement concerning their rules of engagement. The shape of the government that will govern Iraq until new elections are held also should be up for discussion.

Most of these issues have been raised by insurgent groups. As they see it, the problems call for a radical response: annulling the entire transitional process, dissolving the existing cabinet, resorting to new elections, disbanding the new security apparatus and recalling the former army. As one insurgent sympathiser put it, preconditions for negotiations include "a credible U.S. commitment to full withdrawal, formal acknowledgment of the resistance, the release of all prisoners, compensation for loss of life and property, and a new political process based on a new set of elections".[79] This

will not work: sending the current leadership back into exile and cracking down on its power base simply would mean replacing a Sunni Arab insurgency by a Shiite one. But short of that, and assuming all parties show some flexibility, a way must be found to accommodate the various constituents' interests through a new national compact.

B. DEFINING FEDERALISM

The federalism question, potentially the most fateful, has been the most contentious. When still in exile in the early 1990s, a gamut of opposition parties embraced federalism, spurred by the Kurdish aspiration for greater autonomy.[80] Their support, however, was for the abstract principle of federalism; the fragile coalition of parties could reach consensus because no effort was made to define it.[81] Once these parties returned to Iraq in 2003 and gained power, federalism became enshrined in the political order, first in the interim constitution, the Transitional Administrative Law (TAL) of March 2004, then in the 2005 constitution. Even parties established after April 2003 came to accept federalism, however grudgingly.

The real contest has been over its definition. The dominant Kurdish-SCIRI notion, allowing for a predominantly Shiite "super region" in the south in addition to the Kurdish region, has been challenged by other Shiite parties, such as al-Fadhila; Sunni Arab parties have accepted the Kurdish region (but only within its pre-2003 boundaries) while rejecting additional regions;[82] the Sadrist movement has neither opposed federalism nor sought to define it, stating merely that no federalism

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[78] The Iraq Study Group posited the urgency of constitutional review prior to, and as a basis for, political reconciliation, stating (p. 65) that "review of the constitution is essential to national reconciliation and should be pursued on an urgent basis". For reasons stated above, this is a non-starter, as the review procedures militate against substantive amendment and a broad-based national reconciliation conference with outside involvement is required to reach a consensus. The order should therefore be reversed: political reconciliation first, entailing compromises on key constitutional questions, which should then serve as the basis for constitutional amendments.

[79] Crisis Group interview, insurgent sympathiser, 30 October 2006; See also Crisis Group interviews, November 2006. See also Associated Press, 3 December 2006, for an interview with a person claiming to be the spokesman for the Baath party's

Regional Command (Iraq). Several groups have produced lengthy political platforms and stated their preconditions for negotiations.

[80] For a discussion, see Crisis Group Middle East Report N°33, *Iraq: Can Local Governance Save Central Government?*, 27 October 2004, pp.1-2.

[81] Likewise, a number of parliamentarians voted for the federalism law in October 2006 because, while establishing a mechanism for creating regions, it did not specify the regions' powers (a job only partly done by the constitution). Thus, the Iraqi Communist Party's two representatives peeled off from their coalition, Iyad Allawi's National Iraqi List, along with six other Allawi supporters, to vote for the law. It may have acted out of solidarity with the Kurds, with whom it historically has been close. Moreover, it had supported the federalism principle since the early 1990s and considered its vote consistent with that position. Crisis Group interview, ICP member, Amman, November 2006.

[82] Crisis Group interviews, Sunni Arab political leaders, 2005 and 2006. Non-jihadi insurgent groups – jihadis consider the very idea of an Iraqi state profane (*kufur*) – tend to accept the notion of a special status for the Kurdish region (*iqlim khas*).

scheme should be initiated while the country remains under foreign occupation.

In the absence of a consensus, the proposal put forward by the Kurds and SCIRI – a loose federalism consisting of a Kurdish, Shiite and Sunni Arab region – so far has prevailed.[83] Underpinning this is the notion, as evidenced by the past three years, that the three communities cannot live together in a common arrangement. Under this view, only by being "together-apart" can the state survive; as explained by some, this in essence is formalising an existing reality whereby the three communities define their futures unilaterally and differently. Others see merit in the fact that each region could eventually police itself, dispensing with the need for U.S. involvement: Kurds through the former *peshmerga* (guerrilla fighters)*,* Shiites thanks to their militias, and Sunnis with a future security force of their own.[84]

As explained above, this loose three-region federalism notion is highly problematic. Whereas Kurdish separatism by itself would not automatically or necessarily lead to the break-up of Arab Iraq (though it might well trigger

regional anxiety and interference),[85] the formation of separate Sunni and Shiite regions is another matter. The prospect of a powerful Shiite region is likely to trigger violent reactions from Sunnis, opposed to the notion of sectarian division, fearful of the ensuing imbalance of power and doubtful the central state could ensure their landlocked region would receive a fair share of resources. Any move to establish strong regions also could eviscerate what is left of the state apparatus while drawing arbitrary – and therefore vigorously contested – boundaries.

Crisis Group believes that a more acceptable approach – one that preserves Iraq while meeting basic Kurdish aspirations and offering the necessary minimum protections to all communities – would be to adopt an asymmetrical form of federalism. Under this model, the nation would consist of a Kurdish region, as currently defined but with a special autonomy status (and the question of Kirkuk addressed as described below), and an Arab Iraq divided into fifteen decentralised governorates, relying on present boundaries, that would enjoy significant powers as well as fair access to royalties from national resources such as oil and gas.

This approach has significant merit: as a form of federalism, it is accepted a priori by all main political players; it allows for a workable and fair formula for sharing oil and gas revenues, a principle advanced by all; it confirms the Kurdish region, another point of consensus; it circumscribes the powers of the state, addressing fears of excessive central rule; and by dividing Arab Iraq into fifteen geographically-defined entities it is non-ethnic and non-sectarian, and would prevent one community's domination over the others. Most importantly, this model could hold the country together without posing an existential threat to any single community.

Reaching agreement on such an asymmetric federalism would entail fleshing out an acceptable division of powers and mechanism for collecting, storing and distributing income from taxation and natural resources. The current constitution assigns to the regions powers far in excess of what is required if the federal

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[83] The Kurds long remained agnostic on how federalism should be defined outside the Kurdish region. During the constitutional negotiations in July-September 2005, however, as they pushed for their own region's maximum powers, they embraced SCIRI's notion of southern federalism, which is the functional equivalent of a three-region Iraq, as a way of gaining SCIRI's tacit support for realising their ambitions, especially relating to Kirkuk. Unlike the Sadrists, Da'wa, and a gamut of other Shiite politicians (not to mention Sunni Arabs and secular Iraqis of all stripes), SCIRI has taken no vocal position against the Kurds' bid for Kirkuk, instead swearing allegiance to a constitutionally-mandated process – a referendum in Kirkuk before the end of 2007 – that would place it in Kurdish hands, given their partly-engineered, partly-natural majority in the governorate.
[84] In some versions of this model, the Kurds' eventual separation is assumed, once the regional balance of power allows it. See Peter W. Galbraith, "The Case for Dividing Iraq", op. cit., in which he declares that "It is possible that Sunni and Shi'ite regions would remain together in a loose confederation, but Kurdistan's full independence is almost certainly a matter of time." Galbraith has combined his writings on this subject into a book, which he tellingly titled *The End of Iraq,* op. cit. As he sees it, loose federalism will serve as a way station to Kurdish independence. SCIRI, whose leader Abd-al-Aziz al-Hakim has argued that the brand of federalism he advocates will not divide Iraq, appears to be motivated by the desire to control the resource-rich south, with al-Hakim, becoming, in the words of one Iraqi critic, the "Barzani of the south" – i.e., a regional warlord empowered by oil income**.** Crisis Group interview, Ottawa, 14 May 2006.

[85] Kurds and Arabs are two distinct ethnic groups, with languages that are unrelated and cultural practices that, despite some overlap, are mostly at variance. They also live in distinct territories. The only serious point of contention in the case of secession would be the demarcation of Kurdistan's boundaries, since Arab and Kurdish Iraq are separated by a wide territorial belt comprising a mix of not only Arabs and Kurds but also smaller ethnic groups, such as Turkomans, Assyrians/Chaldeans/Syriacs and Shabak. See Crisis Group Middle East Report, *Iraq and the Kurds*, op. cit., p.2.

government is to be able to carry out its essential functions. It has been widely criticised as unworkable by an array of international constitutional experts,[86] especially for (apparently) withholding from the federal government the power of taxation,[87] depriving it of access to revenues from yet-to-be-developed oil and gas fields,[88] allowing regions and governorates to organise their own internal security forces, and granting the laws of the regions and governorates precedence over federal legislation in case of dispute (rather than, for example, referring it to the Federal Supreme Court for adjudication).[89]

Any new compact should recalibrate this allocation of powers, so as to give the federal government the authority necessary to govern and manage the federation, while guaranteeing the Kurdish region and, separately, the fifteen governorates sufficient protections and access to resources. Such an arrangement would have to include various powers of taxation (on income, property, value-added, customs and the like) for local governments, as well as control over oil and gas revenues by a national trust fund, run not by the federal government but by an independent federal authority charged with overseeing their fair and equitable distribution to the Kurdish region and governorates. As a possible further compromise, regions could have the ability to enter into contracts for the development of future oil fields, but only in accordance with guidelines put forward by the central federal government.

The Kurdish region, enjoying special autonomous status, would retain most of the powers the current constitution accords it. The exceptions would be regional law's precedence over federal law in case of dispute and the right to control income from natural resources – an issue that is ambiguous in the constitution but which the Kurds have interpreted broadly – which should instead be transferred to the federal government for fair nation-wide distribution.[90] In early December, there were encouraging signs that the Kurds were willing to compromise. At least two Kurdish officials indicated that negotiations over a new hydrocarbon law were making progress, with all sides agreeing that management of oil fields, current as well as yet-to-be-developed, should be shared between the federal government and the regions, and that income should accrue to the federal government, which would distribute it equitably to all Iraqis.[91]

A compact so conceived arguably would meet the minimum requirements of all communities. The Kurds know that the regional situation will not allow them to secede at this time and that therefore they will have to remain within a federal Iraq, at least for now. But they will require basic guarantees that there will be no return to past policies of neglect, Arabisation, dispossession and extermination. The degree of autonomy from central rule that the new arrangement would offer them should serve as sufficient protection, likewise the promise of a fair share in Iraq's oil and gas income, along with security guarantees from the U.S., their principal ally.

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[86] See, for example, Jonathan Morrow, "Weak Viability: The Iraqi Federal State and the Constitutional Amendment Process", U.S. Institute of Peace (USIP) Special Report, July 2006, and "Iraq's Constitutional Process II: An Opportunity Lost", USIP Special Report, November 2005, both available at http://www.usip.org. See also Zaid al-Ali, a UN advisor to Iraq's constitutional process, "Iraq: A constitution to nowhere", *Open Democracy*, 14 October 2005, available at http://www.opendemocracy.net. Also Crisis Group interviews with several constitutional experts present at constitutional workshops in Jordan and Europe, 2005 and 2006.

[87] The power of taxation is not explicitly mentioned under the federal government's exclusive powers. This means, by default, that it falls under the powers of the regions and governorates, as Article 115 states, in part: "All powers not stipulated as belonging to the federal authorities belong to the regions and governorates that are not organised in a region."

[88] While asserting, in Article 111, that "oil and gas are owned by all the Iraqi people in all the regions and governorates", the constitution reserves a role in managing oil and gas and fairly distributing its revenues for the federal government only in the case of "present fields" (Article 112), by default leaving management and revenue distribution concerning yet-to-be-developed fields to the regions in which they are located.

[89] Article 115(2) reads: "With regard to the other powers, shared by the federal government and the regions, priority shall be given to the law of the regions, and governorates not organised in a region, in case of dispute between them." Moreover, Article 121(2) states: "In case of conflict or incompatibility between federal and regional law in respect to a matter outside the federal authorities' exclusive powers, the regional authorities have the right to amend the federal law's application in the regions." Finally, Article 126(4) reads: "No articles of the constitution may be amended that remove powers from the regions that are not within the federal authorities' scope of competence, except by the approval of both the concerned region's legislative authority and the majority of its population via a referendum."

[90] The ISG recommended that "oil revenues should accrue to the central government and be shared on the basis of population. No formula that gives control over revenues from future fields to the regions or gives control of oil fields to the regions is compatible with national reconciliation", ISG, op. cit., p.65.

[91] Crisis Group e-mail communication, from the Kurdistan Regional Government minister for natural resources, Ashti Hawrami, 10 December 2006; and statements by Barham Salih, deputy prime minister of Iraq and head of the committee that is preparing the hydrocarbon law, in *The New York Times*, 9 December 2006.

Sunni Arabs, too, would benefit. Their main concern, that Iraq remain a single state, would be addressed, while decentralisation by governorates would protect them from any excesses of (Shiite) majority rule; moreover, their resource-starved areas would be able to develop thanks to a guaranteed equitable share in the nation's wealth. The Shiites for their part could rest assured that they, as the country's majority population, would be able to govern at last, free of tyranny and discrimination. Thus each of the communities would have a stake in the compact and help to preserve it.

Kirkuk: The question of Kirkuk and other ethnically mixed areas in northern Iraq is separate but intrinsically intertwined, reflecting a struggle between Kurdish, Arab and Turkoman communities since oil was found in the late 1920s, partly over historic rights but mostly over oil (12 percent of Iraq's proven reserves).[92] Sensing advantage from Saddam Hussein's regime's collapse and their alliance with the U.S., the Kurds in effect seized control over those parts in this mixed-population belt that are predominantly home to Kurds and, using their *peshmerga* forces,[93] began to police areas that are not. Their objective has been to reverse decades of Arabisation, but also to annex these areas to the Kurdish region. Indigenous Arabs and Turkomans, in particular, have felt squeezed and threatened in their existence, and are increasingly responding with violence.

As Crisis Group argued in July 2006,[94] the situation is so tense as to verge on a local civil war, which could break out if the Kurdish parties press ahead with plans to hold referendums there, and in other areas they claim, to decide these areas' status before the end of 2007 – as provided for in the constitution. Instead, such referendums should be postponed to allow tensions to lessen. During an interim period of ten years, Kirkuk governorate (Taamim) should become a decentralised governorate much like Iraq's other fourteen governorates outside the Kurdish region, with an interim power-sharing arrangement that would reassure all communities. The appointment of a UN envoy could facilitate the difficult transition required, as well as help establish a mechanism for deciding the areas' status at the end of the interim period.[95] Such a mechanism would hold out the prospect

for the Kurds that they could ultimately gain formal control over some or all of these areas; short of such a prospect, the Kurds are unlikely to sign up to a national compact.

C. DE-BAATHIFICATION AND OTHER DIVISIVE ISSUES

A set of other measures taken since 2003 have deepened rifts and destabilised the country. These also need rectification in any new national compact:

De-Baathification: Conceived in May 2003 as a way to ensure a complete break with a repressive past, this measure decapitated Iraq's managerial class without regard for individuals' actual culpability or innocence with respect to the former regime's crimes. Implemented selectively, it alienated Sunni Arabs, the community that felt targeted and suffered disproportionately from the new political order and fuelled the insurgency.[96] It also hastened the state's collapse. Draft legislation overhauling the policy is now before the council of representatives, but is likely to languish. It seeks the reinstatement, or retirement with pension, of thousands of former civil servants who were mid-to-senior level Baath party members; some 1500 top party cadres would remain excluded as complicit in the former regime's many crimes. If implemented, this law would be an important step forward. In a new compact, however, a superior compromise would focus on Iraqis' past conduct rather than their membership in the Baath party as the primary criterion for exclusion. A person who can be proven to have committed crimes prosecutable under Iraqi or international law should be banned from political life and public office, regardless of the position he or she held in the Baath party, if any; prosecution should be considered for the worst offenders. However, all Baath party members against whom no evidence of crimes can be presented should enjoy full citizenship rights.[97]

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[92] The relevance of the oil question in Kirkuk may diminish if negotiations over oil revenue sharing succeed.
[93] The *peshmergas* manifest themselves in national army uniforms, having succeeded in establishing their predominance in this institution in precisely the areas they seek to annex to the Kurdish region.
[94] Crisis Group Report, *Iraq and the Kurds,* op. cit.
[95] Ibid. The Iraq Study Group made the following recommendation: "Given the very dangerous situation in Kirkuk, international arbitration is necessary to avert

communal violence. Kirkuk's mix of Kurdish, Arab, and Turkmen populations could make it a powder keg. A referendum on the future of Kirkuk…would be explosive and should be delayed", ISG, op. cit., pp.65-66.
[96] Sunni Arabs plausibly assert that they, unlike certain Shiites, benefited to a lesser degree from exemptions to the de-Baathification decree and had fewer opportunities of reintegration.
[97] The Iraq Study Group recommended reintegration of Baathists and Arab nationalists into national life, "with the leading figures of Saddam Hussein's regime excluded". ISG, op. cit. p.65. This recommendation's imprecision lends it to selective application; a clearly defined criterion of "having committed prosecutable crimes" would be more appropriate.

Status of the former army: Along with de-Baathification, the issue that most rankled Iraqis in 2003 – regardless of sectarian identity – was the army's blanket dismissal. It had not resisted the U.S. military campaign to unseat the regime and indeed was not particularly known for its loyalty to Saddam Hussein and his entourage. (By contrast, the dismantlement of other security agencies, pillars of the ousted regime, was not controversial.) Because Sunni Arabs were over-represented in top positions, they lost the most and therefore felt most aggrieved when, in rebuilding the security forces the U.S., especially in the first two years, effectively favoured Shiite and Kurdish officers (as well as Kurdish *peshmerga* commanders) over Sunni Arab officers. They did this by excluding all of the former army's senior officers regardless of their record of professionalism. As the Iraqi government assumed greater responsibilities, individuals with little or no prior experience were catapulted to the top on the basis of their loyalty to parties in power, a practice ironically reminiscent of the previous regime. As a result, many former senior officers are thought to have joined the insurgents, providing them with useful tactical and explosives skills, as well as leadership experience. Injured in both national and professional pride, many of these officers, whether involved in insurgency, staying at home or living in exile, might well accept an honourable return if reintegrated in a reformed national army committed to protecting the country.

The question of national identity: At least two of Iraq's principal communities have started to question the notion of a single nation in the past two years.[98] The Kurds clearly aspire to a separate entity while some Shiites wish to create their own separate region. If the country is to be held together, it will need to find a new unifying principle, one that is not based exclusively in ethnicity (Arab or Kurd)[99] but in the fertile culture that emerged on the banks of Iraq's two great rivers, the Tigris and Euphrates,[100] which traverse the country from north to south, linking its many parts in commerce, trade

and people. Should the country hold together, the constitution's preamble should seek to convey the country's rich but unifying make-up, possibly something to the effect of Iraq's being "an Arab and Kurdish nation consisting of many interlinked communities", or a "federation of Arabs, Kurds and many other communities with deep roots in Mesopotamian culture".

Revising the electoral law: Part of the reason why communalism gained such purchase is that the electoral law encouraged it. Drafted by UN specialists in 2004 at the request of the CPA and Iraqi interim government leaders, this law mandated first (January 2005) a system of proportional representation in a single district (Iraq) and subsequently (December 2005) a mixed system of proportional representation based on eighteen districts, the country's governorates. This latter system was designed for two principal reasons, one political, the other expedient. Only through proportional representation, it was argued, could minority communities be represented at the national level and thus their rights be protected. Moreover, the drafters claimed, it was the only system that could be designed and implemented within the restrictive timetable they were given. Others have contested this, arguing that a system of direct elections for individual candidates in the eighteen governorates was both desirable and feasible.[101]

As it happened, the law deepened ethnic and sectarian identities by in effect encouraging political parties to coalesce into electoral lists representing, roughly, ethnic and religious communities and promoting identity politics with its attendant discourse. It provoked a Sunni Arab boycott, based on the conviction that such elections would discriminate against them. It also reduced politicians' accountability to their constituents, as voters backed coalitions of parties rather than single individuals. Instead, a new law should mandate direct elections (to be held in 2009), with politicians presenting their candidacy within the eighteen governorates as a way to promote accountability. Additionally, the Iraqi government should proceed with plans to hold provincial elections in the first half of 2007 so as to empower local councils and a new generation of politicians, and to overcome the ill effects of the Sunni Arabs' boycott of the January 2005 provincial elections, which caused a dangerous imbalance, notably in Baghdad and Mosul.[102]

Defining the scope of the amnesty: As the Iraqi government has recognised, an amnesty is required to induce fighters to disarm without fear of retribution. As part of its purported reconciliation efforts, however, the

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[98] Some Assyrian émigrés also are calling for the creation of a nation of Ninewa, an Assyrian statelet inside the current Ninewa (Mosul) governorate. Likewise, some Iraqis have started referring to SCIRI's wished-for southern region as "Sumer", after the area's ancient civilisation.

[99] In Iraq's republican constitution, the country was designated as "an Arab nation". In the new constitution, Iraq is referred to as part of the Islamic world, "and its Arab people are part of the Arab nation". The language was so drafted to highlight, implicitly, the Kurds' reasonable wish not to be included as Arabs. To Arabs, however, the Kurds' insistence on this wording demonstrated their desire to secede from what the Kurds consider an involuntary union.

[100] Hence the name Mesopotamia, or in Arabic: Al-*Rafidan*, "The [Land of] Two Streams".

[101] Crisis Group interview, adviser to the Iraqi government, Amman, 1 December 2006.

[102] This is also a recommendation made by the Iraq Study Group, ISG, op. cit., p.65.

government excluded not only individuals responsible for the death of civilians, but also – largely in response to U.S. pressures – those having killed members of the Iraqi security or coalition forces. This is self-defeating, and ignores large-scale human rights violations committed by government forces and government-affiliated forces. A genuine, even-handed attempt at reconciliation must entail amnesty for insurgents, militia fighters and members of government security forces who have committed acts of violence in pursuit of political agendas, on condition that they surrender their weapons and, in the case of commanders, instruct fighters under their command to do the same, with the threat of prosecution should they renege on this commitment. It may be necessary to hold out as an enticement the prospect of integration into either state security forces or non-security sectors funded to accommodate them after a set period of time.[103]

Some exclusions should be considered: for example non-Iraqis and those who can be shown to have terrorised the population by deliberately killing civilians; such people should be prosecuted before impartial courts. However, distinctions such as between jihadi and non-jihadi insurgent groups, appear unworkable, given the broad Iraqification of the jihadis' chain of command. Excluding Iraqi jihadists would mean perpetuating a counterinsurgency campaign that has had devastating consequences in terms of alienating and radicalising the Sunni Arab constituency as a whole.[104] An important deficiency of the first year of U.S. rule in Iraq was the absence of a transitional justice mechanism designed to separate those culpable of specific crimes from those who did little more than offer the former regime their support. Three and a half years later, the need for such a mechanism has become all the more pressing, if only as a way to rebuild Iraq's collapsed institutions.

Status of foreign troops: As Crisis Group has long argued, the U.S. presence is both a fundamental reason for the current crisis, and a principal reason why it has not become worse.[105] A precipitous withdrawal risks triggering violence on an unprecedented scale; at the same time, the very presence, operations and conduct of these forces have significantly contributed to the current instability.[106] "We are now in a civil war", said a general in the former regime's general staff. "If the Americans were not here, the situation would be a hundred times worse."[107] As further discussed below, the answer, in the context of a new, consensual political compact, is for all stakeholders (Iraqi government, but also non-government and non-Iraqi) to negotiate the terms of a relatively rapid U.S. withdrawal in stages. (Should such a compact not materialise in a reasonable time frame, or should it not be implemented, the presence of U.S. troops will become both unjustified and politically unsustainable and a swift withdrawal will become inevitable.)

Under this scenario, and as long as any units remain in Iraq, a status of forces agreement, auxiliary to the national compact, should govern their presence. Rules of engagement should focus on the need to protect the civilian population and respond to immediate threats against troop security, while requiring prior Iraqi command authorisation for any manoeuvres, offensives, arrest campaigns or other military actions outside this framework. Moreover, foreign military power should play only a subordinate and supporting role to national forces in any such operations.

D. REBUILDING INSTITUTIONS

One of the most challenging tasks will be rebuilding state institutions whose total collapse both debilitated existing social networks and created the vacuum that unleashed the current violence and continue to bedevil reconstruction. The starting point is to enshrine the notion of a strong federal state – decentralised but sufficiently empowered to manage the regions – in the constitution. Moreover, the reconciliation on which any compact would be based should allow for greater cooperation between Iraq's varied actors to rebuild the bureaucracy and security apparatus and, of course, to significantly reduce attacks against infrastructure and civil servants (a form of violence that would then be restricted to irredeemable actors such as *Tandhim al-Qaeda)*. The government, aided by the international community, should make new resources available to train and equip the presidency, prime minister's office, government ministries, judiciary, council of representatives and its committees, as well as the armed forces, border guards, special forces, police and intelligence services.

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[103] The Iraq Study Group makes only a vague recommendation, suggesting that amnesty proposals must be "far-reaching", ISG, op. cit., p.65.
[104] Non jihadi insurgents argue that if a political agreement were reached in which they lay down their weapons, a majority of jihadis would have no other choice but to follow suit for lack of popular support. Crisis Group interviews, November 2006.
[105] Crisis Group Report, *The Next Iraqi War?,* op. cit., p.ii.

[106] According to a recent poll, 82 per cent of Shiite Arabs and 97 per cent of Sunni Arabs believe that "the U.S. military in Iraq is provoking more conflict than preventing". See "The Iraqi Public on the U.S. Presence and the Future of Iraq," available at http://worldpublicopinion.org, 27 September 2006.
[107] Crisis Group interview, Amman, 17 July 2006.

Three important principles should govern: meritocracy, integration and accountability. Decisions on appointments and project funding should be based on merit, not any particular loyalty other than to the federal state, and efforts should be made to include as diverse a spectrum of Iraqis as possible in all layers of the bureaucracy and security forces, without, however, instituting a *muhasasa* system that bases staffing decisions strictly on apportionment by community.

This will be a long-term effort, one that will have to overcome a political culture that encourages nepotism and other forms of favouritism. For this reason, the government should establish an independent commission charged with overseeing the state's scrupulous commitment to equal opportunity in projects and hiring, with a mechanism for adjudicating complaints.

IV. HOW TO GET THERE

A. A RADICAL SHIFT

At this late stage, only a radical and dramatic policy shift – entailing a different distribution of power and resources within Iraq as well as a different set of outside influences mobilised to achieve it – can conceivably arrest the dramatic and spiralling decline. The Iraq Study Group's report goes some way in advocating such a change, and many of its recommendations mirror those made by Crisis Group. But a more decisive paradigm shift is needed to put Iraq back on the road to stability. In particular, the international community should drop the pretence that the current Iraqi government is anything more than one of the parties to the conflict and should therefore take a far more proactive role in pressuring it, along with other Iraqi groups, to accept the necessary compromises.

The most fundamental challenges today are threefold: to end the civil war, reconstruct the state and its institutions and prevent dangerous regional spill-over. This is not something the U.S. can do alone; it is too discredited, has lost too much leverage, and has proved too incompetent in dealing with Iraqi and regional affairs. Washington, in other words, will need to reach out widely to seek collaboration from friends and foes alike. That, in turn, will require not only requesting others to play a part in implementing a new policy, but, more importantly, giving them a key role in shaping it. Here too, the Iraq Study Group is correct in its insight – the need to engage Iran and Syria – but insufficiently ambitious in its prescription. Polite engagement of those two countries will not do; rather, a clear redefinition of Washington's objectives in the region will be required to enlist Iranian or Syrian help. Ultimately, third parties cannot be expected to join in a failed enterprise, let alone one they perceive as fundamentally at odds with their interests.

If enlarging the scope of international players is one essential pillar, enlarging the range of Iraqi actors and injecting new momentum in national reconciliation efforts must be another. By virtue of a policy that has brought back, empowered and then relied on a small group of exiled politicians with shallow roots in Iraq, the Bush administration has essentially cut itself off from a large set of relevant actors, narrowing its options as well as the impact of its policy decisions. Much of the past few years of diplomacy have had an extraordinarily surreal and virtual quality: pursuit of an Iraqi political process that is wholly divorced from realities on the ground through dealings between the

U.S. and local leaders who possess neither the will nor the ability to fundamentally change current dynamics – who, indeed, have been complicit in entrenching them. The present Iraqi government does not need to be strengthened or given supplemental means to "ensure Iraqis' security" and "combat terrorism"[108] – say, by expanding Iraqi security forces – it needs to have a different character and pursue different objectives. The time has come for a new, more inclusive Iraqi deal that puts rebuilding a non-ethnic, non-sectarian state at the top of its objectives.

This more multilateral, inclusive strategy will be immensely complicated, entail delicate balancing and, given the existing situation, hardly guaranteed of success. Sunni Arabs, including insurgent groups, must be brought on board without alienating the Shiites. The activities of Shiite militias must be curbed without acting in a way that incites their violent resistance. Shiites themselves are profoundly divided between SCIRI loyalists and Sadrists (to mention only one of the many rifts), and one cannot be accommodated at the expense of the other. Kurdish insistence on a federal system must be accommodated without creating tensions elsewhere – within Iraq or outside. A way will have to be found to persuade Iran and Syria to play a more constructive role at a time when, with reason, they perceive U.S. objectives in Iraq and the region as fundamentally hostile to their interests.

Nor can partial efforts work, for all aspects of the crisis have become interdependent. Although neither Tehran nor Damascus is at the origins of, or even plays a major part in Iraq's catastrophe – notwithstanding periodic suggestions to that effect by U.S. officials – the situation has reached the point where resolution would be impossible without their cooperation, as both states have the ability to sabotage any initiative the U.S. might design to re-stabilise the country. By the same token, neither Iran, Syria, nor any other outside country can make a real difference in promoting stabilisation in the absence of fundamental changes in Iraq that still heavily depend on a U.S. shift in policy. In short, success at this point is conditioned on several, ambitious and interrelated steps:

❑ a new forceful multilateral approach that puts real pressure on all Iraqi parties;

❑ a new U.S. regional strategy, including engagement with Syria and Iran, an end of efforts at regime change, revitalisation of the Arab-Israeli peace process, and redefinition of strategic goals; and

❑ a new, more equitable and inclusive Iraqi national compact, as described above, to replace or significantly amend the current constitution (which repeated violations its first year have shown is not accepted even by the parties that created it).[109]

Only through this internal and international effort – inspired in some ways by the Bonn process for Afghanistan and the Dayton process for Bosnia (see section D below) but involving far more continuous, sustained diplomacy than either – might steps be taken to rein in politically-motivated violent actors, such as militias and insurgent groups, and restore to state institutions the monopoly of legitimate violence. And only then could these begin to undertake the difficult task of reducing violence overall by cracking down on crime mafias and other independent purveyors of violence, all of whom have flourished in the post-war security vacuum.

B. A NEW MULTILATERAL APPROACH

If growing polarisation and escalating violence suggest the need for a clean break from the faltering political process, the absence in effect of a state apparatus and the conflict's self-sustaining nature underscore the urgency of a much more substantial political role for the international community, and in particular for neighbouring states. Iraq's ruling politicians have shown without doubt over the past three and a half years that they cannot forge meaningful compromises, curb violence and prevent the country from sliding into civil war. The country has been effectively managed – or mismanaged – by a small group of predominantly former exile politicians with tenuous local roots or credibility and Kurdish politicians pursuing a latent secessionist agenda. These politicians enjoyed a head start in April 2003, were further empowered by their U.S. sponsor and proceeded, with the help of a misconceived U.S. diplomatic and military effort, to turn a bad hand into a disastrous one.

For any international initiative to have a chance to succeed at this late stage, it must visibly, even

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[108] U.S. National Security Adviser Memo, op. cit.

[109] The failure to initiate the constitutional review at the beginning of the council of representatives' work is a direct violation of Article 142 of the constitution. Moreover, the council's failure to pass a federalism law by 16 September 2006 is a violation of Article 118, which prescribes passage of such a law within six months of the council's first session, which took place on 16 March. Yet, based on political compromise, these violations have not faced a legal or other challenge.

dramatically, embody a clean break with the past. The Iraq Study Group calls, in this regard, for establishment of an International Support Group comprising all bordering countries as well as key regional and international states. However, the report errs in mandating such a group to "assist Iraq in ways the government of Iraq would desire",[110] seemingly ignoring its own previous diagnosis about that government's failings. Instead, the Support Group should take a more proactive approach.

The preferred option for membership would include the five permanent members of the Security Council, Iraq's six neighbours and the UN as represented by its Secretary General. Its objective would be to define rules of the game for outside parties vis-à-vis Iraq, agree on redlines none would cross, and, crucially, guide the full range of Iraqi political actors to consensus on an acceptable end-state (e.g. very roughly speaking, a decentralised but single state that is non-aligned, devoid of U.S. bases, and hostile to none of its neighbours) which they would collectively promote with the full range of Iraqi constituents. A mandated and empowered UN Special Envoy could take initial steps in seeking to build consensus among all Iraqi stakeholders for such a reconciliation package.

Agreeing on rules of the road and redlines for outside actors is critical; in their absence, a logic of suspicion, mistrust and strategic competition inevitably will take hold, fuelling the civil war as each side operates by proxy. Likewise, accord on an end-state is a prerequisite for effective diplomacy with Iraq's warring factions.[111]

The compromises proposed in this report could serve as a basis for an understanding that protects neighbouring states' fundamental interest in Iraq's territorial integrity. Importantly, such a Support Group would not simply give rise to a one-off, high-level conference. It would need to be a longer-term, standing organisation that seriously seeks to achieve consensus among countries that would otherwise each pursue its own agenda in Iraq.

Should agreement about the need for and composition of a Support Group be reached, the UN Security Council should pass a resolution inviting it begin its work.

Reaching this degree of multilateral consensus will take time and may well be beyond the will or capacity of the U.S. administration. As a result, some will argue for a reversed sequence – pressing the U.S. to first achieve domestic Iraqi reconciliation before seeking regional buy-in. But the U.S. no longer possesses the credibility or leverage to achieve this goal on its own and Iraqi actors are unlikely to budge without concerted effort by all regional players with influence and leverage over them.

C. A NEW U.S. REGIONAL STRATEGY: ENGAGING IRAN AND SYRIA

One of the more difficult elements of this endeavour, and in particular of its multilateral component, will be to enlist Iranian and Syrian support. Again, this is one of the principal recommendations of the Iraq Study Group, which called for direct engagement with the two countries, without preconditions, "to try to obtain their commitment to constructive policies toward Iraq and other regional issues" (p.51). The study group helpfully listed several incentives that could entice both from converting their current spoiler role into a participatory one, including the fact that neither country has an interest in Iraq's break-up. It also mentioned the countries' reintegration into the community of nations, including accession to international organisations, such as the World Trade Organisation. But at a time when both Damascus and Tehran are persuaded the U.S. is seeking to weaken or, worse, destabilise them, this is unlikely to suffice. Productive engagement must entail a discussion of a strategic vision for the region with which all parties – the U.S., its Arab allies, Israel, but also Iran and Syria – can live.[112]

The objections, readily voiced not only by the Bush administration but also by Arab countries, are familiar: Tehran and Damascus have no interest in stabilising Iraq since their primary objective is to counter and weaken the U.S.; the price they would require to alter their posture is too high; and/or their potential contribution to Iraq is too low.[113] Each deserves serious consideration.

That neither country wishes to rescue the U.S. under current circumstances is self-evident. Although the ouster of the Taliban and the Saddam Hussein regime served Iran's interests by removing enemies and

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[110] ISG, op. cit., p.47.

[111] The Lebanese civil war truly ended only after fifteen years of destruction and bloodletting, after Iraq's invasion of Kuwait precipitated a change in the regional climate and led external actors to impose a solution (the Taef Accords) upon the warring parties.

[112] As Michael Kraig has pointed out, the U.S. will need to retool its regional approach and shift from strategic competition with Iran to creation of an order that reflects a balancing of regional interests. See Ellen Laipson and Maureen S. Steinbruner (eds), *Iraq and America: Choices and Consequences,* Henry L. Stimson Center, July 2006.

[113] Crisis Group interviews, U.S. officials, Washington, November-December 2006.

empowering friends, the Iraq war was conceived, from the outset, as part of a broad effort by the U.S. administration to remake the region at their expense. Iraq was supposed to become a U.S. ally and democratic model for the region, putting pressure on the Islamic regime in Tehran and its Baathist counterpart in Damascus, while emboldening their respective opponents. To this day, U.S. strategy is viewed in the two capitals as inherently antagonistic, seeking to isolate both, impose sanctions, contain Iran's regional ambitions, curtail Syria's role in Lebanon, and prevent the resumption of Israeli-Syrian negotiations. In this environment, the region as a whole – Iraq included, of course – has become an arena for intense and often violent competition. Neither Iran nor Syria sees anything to gain from helping the U.S. extricate itself from Iraq, where its forces remain tied down, incapable of decisively striking elsewhere, let alone bringing down either regime.

The question is not whether either side will surrender to the other. Syria may wish to enjoy a free hand in Lebanon and resume its former predominant political and economic role; it also likely seeks to halt the UN probe into former Lebanese Prime Minister Rafiq Hariri's assassination. Iran may aspire to an unfettered nuclear program and to being able to project its power throughout the Middle East. None of these is an objective the U.S. will countenance. U.S. demands of Damascus and Tehran are equally unrealistic. Syria will not cut ties to Hamas or Hizbollah – links it considers its sole remaining assets in an unbalanced struggle with Israel; it will not sever links to Iran, for the past quarter century its most loyal, most dependable and, at some points, only ally; it will not allow Lebanon to be peacefully governed by a group it perceives as pro-Western; and Iran will not abandon its domestic uranium enrichment program. Nor will either sit idly by if Iraq falls into Washington's orbit or hosts permanent U.S. bases.

The question, rather, is whether there exists some accommodation that, while short of either side's ideal outcome, nonetheless meets each side's minimum vital interests. The answer is at best uncertain, particularly given Iran's growing sense of empowerment, fuelled by considerable oil revenues, Washington's Iraq quagmire, Tehran's ability to maintain its nuclear effort without serious international response, and the sharp rise in the appeal of its ideology throughout the region, mirroring the U.S.'s precipitous decline. That said, there are considerable costs for all sides with continuing along the present course: a deepening crisis for the U.S. in Iraq, the prospect of further international isolation and sanctions for Syria and Iran, and a dissolution of the

Iraqi state with potential harmful consequence for all. In other words, the most powerful inducement for a compromise are the risks associated with the status quo.

Rough elements of a possible compromise end-state might include:

❑ redefining "success" in Iraq in ways that are not threatening to any of its neighbours, to wit, a united, federal Iraq that respects the rights of all its constituents, enjoys normal relations with its neighbours, and is not home to U.S. bases;

❑ a genuinely sovereign, independent Lebanon whose government is non-aligned, neither dominated by nor hostile to Syria;

❑ continuation of the Hariri investigation to ascertain responsibility and achieve accountability, but with an understanding that the ultimate objective is not to destabilise the current regime but rather to deter it from future malfeasance in Lebanon;

❑ resumption of all tracks of the Arab-Israeli peace process under vigorous Quartet sponsorship. While such a step hardly will determine success in Iraq, a genuine effort in this area would significantly enhance U.S. credibility and help create a more positive broader regional climate;

❑ Syrian and Iranian pressure on Hamas and Hizbollah to maintain calm and avoid provocations;

❑ allowing Iran to pursue its nuclear program, with the possibility of it acquiring full self-sufficient civil nuclear capacity, but only on the basis of gradual, monitored enrichment at sub-industrial levels for a number of years, with industrial scale enrichment only being permitted after a long period of confidence building, and again under extremely intrusive, anytime, anywhere inspections. Heavy water reactor plutonium-producing capacity would be ruled out;[114] and

❑ establishment of a new regional framework based on collective security and pledges of non-interference in domestic affairs.

While this is not the capitulation U.S. critics of engagement with Iran or Syria decry, it would carry a significant cost for Washington, raising the question of whether it is worth it. As a U.S. official put it, "why should we pay this price when there is little

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[114] Crisis Group Middle East Report N°51, *Iran: Is There a Way Out of the Nuclear Impasse?*, 23 February 2006.

Syria or Iran can do to help us in Iraq. The violence today pits Iraqi against Iraqi. It is not an external war. It is an internal one".[115] He has a point. Contrary to longstanding U.S. allegations, the roles played by either Tehran and Damascus in promoting violence have been at most marginal – that is all the more so today, when internal dynamics have become profoundly self-perpetuating (see above).

But the fact that Iraq's neighbours did not instigate the crisis does not mean they could not sustain it if they so desired, nor that it can be resolved without their help. Given how dire things have become, it will now take active cooperation by all stakeholders, Iraqi and non-Iraqi, to have any chance to redress the situation. Other than refraining from damaging steps, there is much Iran and Syria in particular can do: enhancing border control;[116] using Damascus's extensive intelligence on and lines of communication with insurgent groups to facilitate negotiations; drawing on its wide-ranging tribal networks to reach out to Sunni Arabs in the context of such negotiations; and utilising Iran's leverage to control SCIRI and its channels in southern Iraq to convince the Sadrists they have a stake in the new compact.[117]

In pursuit of a diversified portfolio of investments, Iran appears to have spread its financial support broadly, funding not only Shiite political parties and militias, but possibly also Sunni groups. Whereas none of these groups could be called Iranian proxies, Iran doubtless could exercise a certain sway over them, if only by threatening to cut off support. It could also do much more to seal the border and thus block smuggling routes and stem the flow of weapons.

There is every reason to be sceptical that the Bush administration – which has formulated much of its policy in the Middle East precisely in opposition to the above goals and appears to have already rejected this section of the Baker-Hamilton report[118] – can be persuaded to follow this course. But, short of such a fundamental rupture with its existing strategic outlook, there is virtually no chance the misbegotten

Iraqi adventure can end positively for the U.S., or, for that matter, the region as a whole. Seriously engaging Syria and Iran will not be easy; bringing them around will be even harder. But the U.S. and other Western nations have no alternative if their objective is to restore peace in Iraq and defuse the dangerous tensions threatening the region's stability.

D. A NEW IRAQI NATIONAL COMPACT: A CONFERENCE OF IRAQI STAKEHOLDERS

Once constituted, and once basic consensus has been reached, the Support Group should move swiftly to convene a conference of all Iraq's political stakeholders – leaders of parties, movements, militias, insurgents groups, tribal confederations and civil society organisations across the political spectrum. In selecting the participants, the contact group should err on the side of inclusiveness. While the situations clearly differ, the conference should follow the spirit of the Dayton meetings in 1995 that ended the war in the former Yugoslavia – a strong international arm bringing key leaders together – and the Bonn conference in 2001 that followed the Taliban regime's ouster – an international effort to forge a new order through an inclusive process involving an array of Afghan actors.[119] The point, in other words, is to exercise pressure from both above – through foreign supporters of local groups – and below – by enlisting the far more reasonable and conciliatory aspirations of most ordinary Iraqis.[120]

Just as importantly, and unlike the Iraq Study Group's approach, the Iraqi government should be one partner in this conference, not the organiser. This is to reflect the fact that the government to a large degree has become part of the problem as a party to the sectarian conflict. By contrast, the Iraq Study Group seems to vest the solution in Iraq's current leadership, pressing it to make substantial progress towards the

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[115] Crisis Group interview, U.S. official, Washington DC, November 2006.
[116] Cooperation between Iraq, Syria and Western countries providing expertise and equipment could significantly enhance current efforts.
[117] Iran clearly has leverage over SCIRI, at both the religious and financial levels. That is not as clear when it comes to the Sadrists and the Mahdi army. See Crisis Group Report, *Iraq's Muqtada al-Sadr*, op. cit. That said, Iran has relations with Sadr and, regardless of his anti-Persian rhetoric, he will hesitate before alienating its leadership.
[118] *The Washington Post,* 14 December 2006.

[119] Arguably, one of the nominally inclusive Bonn conference's deficiencies was that it excluded the Taliban, even relatively moderate personalities from that movement, as well as marginalised Afghan political actors not associated with the warlords, and offered predominance to one particular group, the "Panshiris". UN Secretary-General Kofi Annan alluded to such a conference in a speech at the end of November 2006: "If one were to work out an arrangement where one can get the Iraqi political parties together, somewhere outside Iraq as we did in Afghanistan, the United Nations can play the role it normally plays." *Irish Times*, 28 November 2006.
[120] Polls consistently have shown a large gap between the agendas pursued by political players and the expectations or demands of ordinary Iraqis (with the notable exception of Kurdish support for independence).

achievement of a set of milestones. As argued above, the Iraqi leadership has become so weak and polarised as to be incapable of governing, let alone reaching compromises on these key issues.

The conference's objective should be to guide Iraqi actors toward an internal consensus on the principal issues of dispute as outlined above and amend the constitution accordingly as part of the legitimate review process, to be followed by a popular referendum based on a simple-majority rule in all eighteen governorates.[121] In Wesley Clark's words, the aim would be "a consensual solution underwritten by outside guarantors, not an imposed solution".[122] To induce the Iraqi stakeholders to accept the necessary compromises, members of the Support Group would need to both pledge assistance in the event of agreement (e.g. financial aid, training to enhance capacity within state structures, the promise of protection to any group or community whose existence is threatened, and either employment opportunities or integration of insurgent and militia fighters into the security forces), and threaten sanctions (e.g. halting assistance to the government or to particular groups) in the event of inflexibility.

Diplomatic recognition and engagement, not to mention provision of funds and weapons, should collectively be denied by Support Group members to any actor who proves recalcitrant. While some have challenged the influence that any single actor can have over Iraq's warring factions, this misses the point. The only conceivably effective kind of leverage presupposes a *collective and coordinated* effort by all relevant external actors, each using its own preferred channels, and the specific combination of sticks and carrots at its disposal, to avoid a mutually damaging disaster.

To re-focus local actors bent on reaping short-term benefits on their long-term interests, Support Group members would have to bear down on Iraqis to whom they have closest affinity and over whom they can exercise the greatest leverage. Illustratively:

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[121] This proposal implies the need to amend the constitution on referendum rules. The current text stipulates a majority "yes" vote in all of Iraq, without a two-thirds majority "no" vote in at least three governorates, for the constitution to pass. Amending it as proposed here – a simple-majority "yes" vote countrywide and no simple-majority "no" vote in any of the governorates – would give greater popular say in reaching compromises on key issues and drafting constitutional amendments.
[122] Wesley Clark, "Next Move in Iraq?", *USA Today,* 21 November 2006.

For the U.S. to convince its Kurdish allies that independence is not a realistic option at this time and that they would stand to lose a good deal in a continued civil war and the country's disintegration; and that, by implication, the Kurdish regional government should accept the unity of a federal Iraq in which they would be recognised as a community on a par with Arabs and others and the Kurdistan region would be recognised as a federal entity. They also should be pressed to pursue an interim solution to the problem of Kirkuk and other territories to which they lay exclusive claim, and to prepare the Kurdish people for these painful but necessary compromises. In exchange, the Kurdistan region, and the Kurdish people in Iraq more broadly, would receive an equitable share in royalties from the country's natural resources, significant autonomy (including the right to raise a regional guard and internal security forces), international development assistance, diplomatic support and credit guarantees to promote investment, and a written promise of military protection. The U.S. also must bring along its other allies in the current leadership, which is weak, has staked its political survival on the U.S.-created order, and therefore is vulnerable to pressure.

For Iran to convince the constituent parties of the Shiite alliance that their political predominance in a unified Iraq would be assured as long as they agree to cede enough power to guarantee peaceful coexistence with the other communities on the basis of equitable resource sharing and democratic politics. They would be safe from violence as insurgent groups disarmed and demobilised. Even with a new electoral law that favoured not communities but political constituencies, and even if they were still internally divided, Shiites would be likely to remain the predominant power in Iraq.

To rein in the principal Shiite militias will involve two types of challenge. Iran's sway over SCIRI unquestionably is more significant than any influence it could exert over Sadr's Mahdi army. This is because Iran founded, funded, equipped and trained SCIRI's Badr militia, which remains a hierarchical organisation with a defined command-and-control system. All of its commanders and political operatives began their careers in Iranian exile and today retain strong bonds with their former handlers. They enforce strict discipline on their full-time, salaried fighters. As a result, Iran should find it possible to convince SCIRI that its pursuit of a Shiite super region is wrongheaded and could lead to the country's violent break-up. By contrast, the Mahdi army is a ragtag militia of part-time fighters summoned, often at a moment's notice, from its popular base in the urban Shiite underclass. Discipline is loose (notwithstanding an increasingly formalised hierarchy), and there are indications the

movement is fragmenting, with relatively autonomous groups emerging that at most pay lip-service to the movement's now nominal leader.[123] Iran, lacking the strong historical connection to the Sadrists, would thus find it far more difficult to exercise pressure. That said, alongside assurances that the Sadrists would enjoy legitimacy and protection, threats to withhold financial support could give Tehran some genuine leverage.

For the Arab states to convince Sunni Arab parties and insurgent leaders that they cannot defeat the Shiite militias (and certainly not Iran) and that their future in a unified Iraq would be assured if they renounced violence. They would receive an equitable share in royalties from natural resources and a sufficient degree of decentralised power within their governorates to prevent their domination by a Shiite-controlled federal state. They, too, would be safe from violence as militias disarm and demobilise.

V. IMPLICATIONS FOR THE U.S.

As we approach year five of the Iraq war, the imperative of reassessing policy, finally, is widely acknowledged in Washington. Release of the Baker-Hamilton report was the most anticipated and notable step, but other developments are increasing pressure on the administration: growing disquiet among America's allies, particularly those with troops on the ground; concern among Republican and Democratic elected officials alike that something has to change; mounting disenchantment and anger among the public which, as evidenced by polls numbers, increasingly consider the whole enterprise a disastrous mistake[124] as well as by the spectacular November electoral rebuke; and, arguably most powerful of all, the every day more obvious catastrophe on the ground.

Beyond the Iraq Study Group, some ideas being floated by the administration merit serious consideration. National Security Advisor Stephen Hadley's 8 November memorandum includes welcome acknowledgment of the sectarian nature of the Iraqi government and the involvement of government workers in a dirty war, recognition of a "campaign to consolidate Shia power in Baghdad", the need for action to deliver services on a non-confessional basis as well as for a new national compact that encompasses Sunni Arabs, and the importance of embedding more U.S. elements into Iraq's security forces.[125] Likewise, Defence Secretary Rumsfeld's pre-resignation memorandum presents a more realistic assessment of the situation on the ground than typically has been offered, proclaiming "it is time for a major adjustment". Among his "illustrative options" are some worthy ideas: an increase in US "embeds", a drawdown in U.S. bases, and recasting U.S. goals in a more "minimalist" fashion.[126]

Yet most of the administration's proposals so far represent at best tinkering with an enterprise in need of a major and clear-cut re-haul in terms of objectives and means of achieving them. The extent of the devastation, both Iraqi and regional, wrought by the war and the ensuing occupation can hardly be overestimated. The debacle will have deep and long-standing repercussions

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[123] According to a general of the former regime's Republican Guard Corps, SCIRI's Badr corps is modelled on the Iranian Revolutionary Guard Corps, the Pasdaran, while the Mahdi army resembles the Basij, a loosely structured volunteer force that, during the Iran-Iraq war, sent waves of its members (many of them mere teenagers) into minefields and withering Iraqi artillery fire. Crisis Group interview, Amman, 17 July 2006. Some recent reports suggest the Mahdi army may be improving its organisation, allegedly having developed throughout 2006 an extensive network of hierarchical, local command structures. But to the degree this is the case, discipline derives chiefly from a grassroots consensus regarding the need to combat Sunni Arabs. Were Muqtada to take a strong position against such sectarian killings under present circumstances, the movement undoubtedly would splinter.

[124] According to a 11 December 2006 CBS poll, 62 per cent of respondents believed it was a "mistake" to send U.S. troops to Iraq and some 75 per cent disapproved of the President's handling of the matter, available at http://www.cbsnews.com/stories/2006
/12/11/opinion/pools/main2247797.shtml.
[125] *The New York Times,* 29 November 2006.
[126] "Rumsfeld's Memo of Options for Iraq War", *The New York Times,* 3 December 2006.

which we are only beginning to measure. Yet, at the same time it remains true that nothing can be salvaged – Iraq's unity any more than regional stability – without a robust U.S. role. The challenge, in other words, is to help redefine that role. A new U.S. policy should focus on the following elements.

A. PRESSURING AMERICA'S IRAQI ALLIES

New momentum is needed in Iraq to achieve a national consensus and halt the descent toward all-out civil war. This, in turn, means that Washington must thoroughly overhaul its posture which in turn necessitates a more candid public assessment of the situation. The current debate concerning whether Iraq is or is not in the midst of a civil war is a case in point. Acknowledging such a reality undoubtedly would present President Bush – who has long asserted U.S. troops would not stand in the middle of a civil war – with a quandary; but for the Iraqi people, the controversy is both surreal and insulting. Iraq may not be experiencing a war of all against all, but it is a at the very least a war of many against many, far removed from the struggle against terrorists, dead-enders, or foreign jihadis that has been the administration's more comfortable template. Government-supported militias as much as Sunni insurgents are part of this confrontation. The implication – critical in terms of devising an effective response – is that this is not a military challenge in which one side needs to be strengthened and another defeated, but a political one in which new understandings need to be reached.

The implication also is that the U.S. should not treat the current government as the credible reflection of a legitimate political process, but rather as one side in a growing dirty war. The three separate 2005 polls, especially the October constitutional referendum, sanctioned the de facto exclusion of a significant component of the population, the inclusion of token Sunni Arabs in the new government notwithstanding. President Bush and Prime Minister Maliki's claim on 30 November 2006 – at the very moment when Baghdad's Sunni neighbourhoods were being besieged by Shiite militias, oftentimes backed by Iraqi security forces[127] – that the Iraqi cabinet was a "national unity government" charged with protecting the country from "terrorists"

flies in the face of reality.[128] Eight months into its tenure, and despite a string of promises, it has yet to take any meaningful step to promote national reconciliation, not even paying civil servant salaries in the predominantly Sunni Anbar province.[129] Maliki's 16 December 2006 announcement that the army will now "open its doors" to all former members and his call on parliament to review de-Baathification are welcome developments, though the test will be in the implementation.[130] According to some reports, the government has taken measures to deny retirement allowances to members of the former military on grounds that they allegedly provide financial support to the insurgents. Payment of civil servant salaries and yearly bonuses have been delayed for months due to alleged "difficulties of access", including in Falluja, which is entirely cordoned off and controlled by U.S. forces. Inhabitants understandably view this as a form of collective punishment.[131]

This does not mean that the U.S. should now engineer another cabinet change, seeking – as is widely reported – to forge a new alliance that excludes Sadr and may ultimately sacrifice Maliki. The core problem is not with the identity of cabinet members; it is with the entire edifice of the political system that was put in place since 2003. No Prime Minister operating under current circumstances could do what Prime Minister Maliki has not done; structural not personnel changes are now needed. As for trying to marginalise or suppress Sadr, the Shiite leader with the strongest social constituency, it would further inflame the situation. To be sure, the

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[127] Reports of security forces taking part in sectarian violence are widespread. Although such allegations are impossible to verify, the remarkable freedom of movement enjoyed since late November 2006 by Shiite militias attacking Sunni neighbourhoods in Baghdad is highly suggestive of some form of complicity.

[128] Available at http://www.whitehouse.gov/news/releases/2006/ 11/2261130-1.htm#. President Bush added, implausibly, and in contradiction to his own national security adviser's memo, that "this is a government that is dedicated to pluralism and the rule of law", while Maliki argued that "we are active with anybody working within the framework of the constitution. Because we established the constitution, we'll abide by it, we'll protect it, and we'll be protected by it".
[129] Contrast these rosy assessments with the far bleaker (and honest) description by the president's national security adviser: "Despite Maliki's reassuring words, repeated reports from our commanders on the ground contributed to our concern about Maliki's government. Reports of non-delivery of services to Sunni areas, intervention by the prime minister's office to stop military action against Shia targets and to encourage them against Sunni ones, removal of Iraq's most effective commanders on a sectarian basis and efforts to ensure Shia majorities in all ministries – when combined with the escalation of Jaish al-Mahdi (JAM) killings – all suggest a campaign to consolidate Shia power in Baghdad". *The New York Times,* op. cit.
[130] Maliki made the announcements at a national reconciliation conference held in Baghdad. The conference was boycotted by Sadr, by a major Sunni group and former prime minister Allawi. Associated Press, 16 December 2006.
[131] Crisis Group interviews, Falluja, November 2006.

Mahdi army is engaged in ugly sectarian violence. But, as Crisis Group has argued, the way to deal with it is to co-opt Sadr, not exclude him, and to strictly circumscribe the Mahdi army's activities, not seek to disband it.[132]

Nor should Iraq's current security forces be viewed as protecting the general public, waging a fight on behalf of a national cause, and therefore worthy of reinforcement. Iraqi officials' "war on terrorism" is the flip side of the insurgents' battle against a Persian "fifth column" – convenient ways to disguise what, in reality, is a brutal civil war in which actors on all sides are heavily implicated.

Instead, Washington – together with a large regional and international coalition – should press its Iraqi allies to take difficult steps toward a broadly acceptable national compact and, if they are not taken, suspend its support. This raises difficult moral and political issues: the U.S. undeniably bears principal responsibility for Iraq's current calamity. *But there can be no possible justification -- nor will there be any political support in the United States -- for an open-ended investment in a failing state.*

B.   ECONOMIC COMMITMENT

The U.S. should commit to supporting Iraq's economic recovery for as long as it takes, conditioned on its rapidly implementing a realistic package of reforms: constitutional revision as described above; amendment to the electoral law so as to limit its sectarian impact; an equitable revenue-sharing arrangement; reconsideration of de-Baathification; and a genuine amnesty. Should such steps take place in a reasonable period of time, the U.S. should maintain its economic assistance while redirecting part of its military spending toward capacity building; if not, it should consider reallocating its budget so as to put greater focus on humanitarian aid, in particular for the rapidly growing displaced population.

C.   MILITARY COMMITMENT

Much of the debate in the U.S. has concentrated on troop levels.[133] It is the wrong question, disconnected from ground realities. On its own, and in the absence of significant political change, the addition or removal of troops will have only marginal and temporary impact on the intensity of violence. As Wesley Clark put it, "the

question of troop level is a dependent, not an independent variable".[134] The notion that the injection of some 20,000 troops might make a significant or sustained difference ignores the deep-seated dynamics that now exist in the country. Nor does there appear to be much merit in the argument that the mere prospect of a troop withdrawal would spur Iraqis into positive action; in fact, there is every reason to fear the reverse. As one observer noted, "if American troops start leaving no matter what Iraqis do, with what additional leverage will the U.S. compel them to do what they haven't yet done?...If America is already heading for the exit, no one will want to have anything to do with Iraq except to pick at its carcass".[135] Without fundamental changes in Iraq and in U.S. policy such as those advocated in this report, a continued American presence serves little purpose and comes at heavy human cost.

The issue of U.S. troops, in short, is properly understood only in the context of a possible intra-Iraqi political compact. What is needed are *negotiated arrangements for coalition military withdrawal.* More broadly, the coalition forces' military role, rules of engagement, and withdrawal schedule should be an item for discussion at the Dayton/Bonn-like conference, not solely between the U.S. and the Iraqi government, but – in order to be accepted as legitimate – between the U.S. and the full range of key actors (government, insurgent groups and neighbouring states).[136]

The coalition presence would be conditioned on a new compact being reached and on its implementation; the schedule for its withdrawal should be agreed and, in any event, should be completed within a reasonable time period, probably not more than two or three years. Should the intra-Iraqi dialogue back a more rapid or even immediate withdrawal, it should of course be carried out.[137] By the same token if the compact is not

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[132] Crisis Group Report, *Moqtada al-Sadr,* op. cit.
[133] Many prominent politicians have called for a phased withdrawal. See *The New York Times,* 12 November 2006. Others, including most prominently Senator McCain, have pressed for a troop increase to "salvage" the situation. NBC, 12 November 2006.

[134] Crisis Group interview, December 2006.
[135] George Packer, "Unrealistic", *The New Yorker,* 27 November 2006.
[136] This idea also can be found in the Iraq Study Group report, which states in its 34th recommendation: "The question of the future U.S. force presence must be on the table for discussion as the national reconciliation dialogue takes place. Its inclusion will increase the likelihood of participation by insurgents and militia leaders, and thereby increase the possibilities of success", ISG, op. cit., p.67.
[137] Views about how long U.S. forces should remain vary widely in Iraq. A member of the communist party commented: "The Americans should stay until the Iraqi government manages to control the situation. However, there must be a timetable for troop withdrawal to indicate that the Americans will not be staying forever." Crisis Group interview, Amman, 24 November 2006. A secular politician said: "The Americans should increase their military presence in order to get a better

reached or not implemented, the U.S. should significantly accelerate the withdrawal of forces that then will have lost their main purpose.

D. CHANGING THE REGIONAL ENVIRONMENT AND INTERNATIONALISING THE CONFLICT RESOLUTION PROCESS

The past three and half years amply have demonstrated that in the current environment, Washington's designated enemies – jihadi movements, militant organisations, Iran and Syria – are better adapted, more knowledgeable of local conditions, and can afford higher losses than it can. Neglect of Arab-Israeli diplomacy coupled with acquiescence in Israel's military operations (in Lebanon as in Gaza) has significantly hampered Washington's influence, undercut its credibility, seriously weakened its allies, and further polarised the region.[138] Bereft of an effective regional strategy and facing a stalemate in Iraq, Palestine and Lebanon, the administration increasingly has fallen back on the dangerous game of encouraging local allies to forcefully confront opponents – President Abbas versus Hamas in Palestine; Prime Minister Siniora versus Hizbollah in Lebanon; and Prime Minister Maliki versus the Sadrists in Iraq. The potential outcome – internecine conflicts possibly metastasising into all-out and unwinnable civil wars – is yet another catastrophe in the making.

Although what happens in Iraq will depend above all on the creation of a new internal momentum, such momentum cannot be sustained without cooperation from neighbours who each possess considerable nuisance and spoiling capacity. As described in greater detail above, the U.S. therefore will need to shelve its more ambitious objectives of forcibly remodelling the Middle East and promoting regime change, seriously engage with Iran and Syria, not in a bargaining process but in an attempt to forge an understanding on longer-term objectives and revitalise the Arab-Israeli peace process, and seek to define an end-state for Iraq and the

region that is not inconsistent with regional players' vital interests.

The U.S. should back creation of the Baker-Hamilton's proposed Support Group, with a view to granting its members a genuine decision-making role and of using it as an instrument of continued diplomacy, not a one-time summit or conference.

E. IMMEDIATE STEPS

Even under the best of circumstances, creation of a Support Group and achievement of a new political compact will take months. During that period, Iraq cannot afford perpetuation of the status quo; as the sole actor that can serve as a buffer between hostile Iraqi forces and is capable of slowing down the country's collapse, the U.S. should immediately take the following measures:

- ❑ adopt a less aggressive military profile by focusing on protecting the civilian population and in particular halt blind sweeps that harm the civilian population, alienate the local population, and have had little impact on the insurgents;

- ❑ redirect resources to a careful program of embedding with Iraqi units qualified U.S. troops possessing in-country experience and supported by competent translators;

- ❑ redeploy U.S. troops along frontlines in the unfolding civil war, notably by filling in the current security vacuum in Baghdad. The U.S. presence, for all its significant costs, keeps the situation from getting considerably worse by serving as a de facto buffer between rival factions, restricting their movement, and keeping the Iraqi army together.[139]. According to a general in the former regime's general staff, "We are now in a civil war. But If the Americans were not here, the situation would be a hundred times worse";[140]

- ❑ shelve plans to hurriedly expand the Iraqi security apparatus, given glaring deficiencies and stunning lack of oversight, are more likely to fuel than

grip on the security situation. Moreover, they should announce they will never withdraw from Iraq – unless they finish the job. The terrorists think they can embarrass the U.S. and thus force them to leave. This is why I am against the calls for a timetable for U.S. withdrawal." Crisis Group interview, Amman, 22 November 2006. In recent months, the Prime Minister and leading politicians have requested U.S. troops to stay, while others, including Moqtada al-Sadr, continue to press for a withdrawal.

[138] See Crisis Group Middle East Report N°58, *The Arab-Israeli Conflict: To Reach a Lasting Peace,* 5 October 2006.

[139] Iraqis widely expect that their regular units will hold their ground in combat situations only as long as U.S. forces back them up. In the absence of such support and oversight, even allegedly "combat ready" units might evaporate or evolve toward sectarian death-squads. Crisis Group interview, Iraqi journalist, 13 November 2006.

[140] Crisis Group interview, Amman, 17 July 2006.

contain the conflict,[141] and focus instead on vetting, restructuring, and retraining existing units;

❑ focus on limiting the militias' role to protecting civilians in places where government forces cannot, while taking strong action against political assassinations, sectarian attacks, or attempts to overrun government offices;[142]

❑ abandon current divide-and-rule tactics toward Sunni Arabs that are a misguided attempt to weaken the insurgency. In the absence of a political compact, efforts to rally tribal leaders have led to weak alliances that do not in any way amount to a policy of "reaching out to the Sunni Arab constituency." Insurgents also believe that U.S. attempts at engagement have amounted to little more than an effort to play off groups against each other, an endeavour that not only has failed to produce meaningful results, but has undermined prospects for genuine negotiations;[143]

❑ halt use of exclusively Kurdish and Shiite forces in predominantly Sunni territory. In the words of an armed opposition member, "early on, the Americans sought to circumscribe the armed opposition to the so-called 'Sunni triangle' in an attempt to smother it. The U.S. succeeded to some degree, but at the cost of triggering sectarian radicalisation on both sides – most of all by dispatching predominantly Shiite and Kurdish units in Sunni territory";[144]

❑ free and compensate Iraqi prisoners detained by the U.S. without charge, while holding all others pending agreement on a possible amnesty;

❑ rapidly compensate Iraqis who have suffered as a result of the counterinsurgency campaign;[145]

❑ condition short-term financial support on Iraq's government immediately reversing its policy of serving certain constituencies at the expense of others (most notably with regard to salary payment and basic service delivery);[146]

❑ abandon the super-embassy project, moving a reduced embassy to a more neutral location (e.g. Mansour's "Embassies Street", located between the city and the airport and already host to some of the largest diplomatic missions);

❑ refrain from referring to Iraq as a U.S. "ally" in the region; instead, insist that it is a country in whose stability all regional actors have a stake; and

❑ publicly deny any intention of establishing long-term military bases.

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[141] Responding to questions about the role played by Interior Ministry forces in the current killings, an advisor to the Iraqi government said that the ministry was "simply too large for us to know exactly who is doing what." Crisis Group interview, 7 November 2006.

[142] See Robert Malley and Peter Harling, "Containing a Shiite Symbol of Hope", *The Christian Science Monitor*, 24 October 2006.

[143] Crisis group interviews, Iraqi insurgents, November 2006.

[144] Crisis Group interview, member of the armed opposition, 3 November 2006. Resort to Shiite and Kurdish forces continued into 2006, with several Sunni neighbourhoods complaining of being besieged by Shiites.

[145] As of March 2006, according to a U.S. military official directly involved in this issue, only 2 per cent of the industrial infrastructure destroyed in Falluja in the November 2004 onslaught had been rebuilt. Crisis Group interview, Washington, 10 March 2006. Little seems to have changed

since, according to interviews with inhabitants, November 2006. Such results, in what is now a relatively quiet town that is entirely cordoned off, suggests how little has been done overall to repair the damage caused by the counterinsurgency campaign.

[146] This was suggested by Anthony Cordesman, who recommends the provision of a $10 to $20 billion aid incentive conditioned on compromise and reconciliation between the warring parties. "Options for Iraq: The Almost Good, the Bad, and the Ugly", CSIS, 18 October 2006.

VI.   CONCLUSION

The exceptional convergence of interconnected Middle East crises, coupled with growing sectarian polarisation, is threatening to unleash a virtually unprecedented regional conflagration. While many international and regional actors privately acknowledge this possibility, their quasi-exclusive focus on the strategic competition between the U.S. and its Arab allies on the one hand and Iran, Syria and their allies on the other, is preventing them from taking collective action to stop the slide. Thus, the U.S. administration appears determined not to alter its approach toward Iran or Syria, convinced that any softening would only further embolden them. Likewise, Syrian officials, though privately conceding the grave risks posed by all-out civil war in Iraq and, possibly, Lebanon to the regime's own stability, appear more interested in fending off U.S. threats than in preventing that outcome.[147]

All in all, every actor remains engaged in policies that, whether in Iraq, Palestine, or Lebanon, threaten to ignite the final fuse. For now, Iraq – seen as the epicentre of, and the most significant prize in the struggle between two visions for the Middle East – stands at the centre of this regional tug-of-war. Its drama is fuelling regional tensions just as regional tensions in turn increasingly will fuel its civil war. Without a radical change in how the U.S. and regional actors deal with Iraq and with each other, the risks of a catastrophic result will rise exponentially.

Implementation of the various measures mapped out in this report is one last opportunity. It is at best a feeble hope, dependent on a fundamental shift among Iraqi political leaders who have been preoccupied with short-term gain; on a radical rupture with past policies by a U.S. administration that has proved resistant to pragmatic change; on a significant alteration in relations between the U.S. and key regional countries that have been marked by deep mistrust and strategic competition; and on involvement by international actors that have warily watched from the sidelines. But it is the only hope to spare Iraq from an all-out disintegration, with catastrophic and devastating repercussions for all.

Baghdad/Amman/Damascus/Brussels,
19 December 2006

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[147] Crisis Group interviews, Damascus, December 2006.

APPENDIX A

MAP OF IRAQ

Map No. 3835 Rev. 4   UNITED NATIONS
January 2004

Department of Peacekeeping Operations
Cartographic Section

APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with nearly 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

Crisis Group's international headquarters are in Brussels, with advocacy offices in Washington DC (where it is based as a legal entity), New York, London and Moscow. The organisation currently operates thirteen field offices (in Amman, Bishkek, Bogotá, Cairo, Dakar, Dushanbe, Islamabad, Jakarta, Kabul, Nairobi, Pristina, Seoul and Tbilisi), with analysts working in over 50 crisis-affected countries and territories across four continents. In Africa, this includes Angola, Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Liberia, Rwanda, the Sahel region, Sierra Leone, Somalia, Sudan, Uganda and Zimbabwe; in Asia,

Afghanistan, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Myanmar/Burma, Nepal, North Korea, Pakistan, Sri Lanka, Tajikistan, Turkmenistan and Uzbekistan; in Europe, Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Kosovo, Macedonia, Moldova, Montenegro and Serbia; in the Middle East, the whole region from North Africa to Iran; and in Latin America, Colombia, the Andean region and Haiti.

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