

### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 1

### DE-BAATHIFICAION OF IRAQI SOCIETY

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), relevant U.N. Security Council resolutions, and the laws and usages of war,

Recognizing that the Iraqi people have suffered large scale human rights abuses and depravations over many years at the hands of the Baath Party,

Noting the grave concern of Iraqi society regarding the threat posed by the continuation of Baath Party networks and personnel in the administration of Iraq, and the intimidation of the people of Iraq by Baath Party officials,

Concerned by the continuing threat to the security of the Coalition Forces posed by the Iraqi Baath Party,

I hereby promulgate the following:

# Section 1 Disestablishment of the Baath Party

- 1) On April 16, 2003 the Coalition Provisional Authority disestablished the Baath Party of Iraq. This order implements that declaration by eliminating the party's structures and removing its leadership from positions of authority and responsibility in Iraqi society. By this means, the Coalition Provisional Authority will ensure that representative government in Iraq is not threatened by Baathist elements returning to power and that those in positions of authority in the future are acceptable to the people of Iraq.
- 2) Full members of the Baath Party holding the ranks of 'Udw Qutriyya (Regional Command Member), 'Udw Far' (Branch Member), 'Udw Shu'bah (Section Member), and 'Udw Firqah (Group Member) (together, "Senior Party Members") are hereby removed from their positions and banned from future employment in the public sector. These Senior Party Members shall be evaluated for criminal conduct or threat to the security of the Coalition. Those suspected of criminal conduct shall be investigated and, if deemed a threat to security or a flight risk, detained or placed under house arrest.
- 3) Individuals holding positions in the top three layers of management in every national government ministry, affiliated corporations and other government institutions (e.g., universities and hospitals) shall be interviewed for possible affiliation with the Baath Party, and subject to investigation for criminal conduct



and risk to security. Any such persons determined to be full members of the Baath Party shall be removed from their employment. This includes those holding the more junior ranks of 'Udw (Member) and 'Udw 'Amil (Active Member), as well as those determined to be Senior Party Members.

- 4) Displays in government buildings or public spaces of the image or likeness of Saddam Hussein or other readily identifiable members of the former regime or of symbols of the Baath Party or the former regime are hereby prohibited.
- 5) Rewards shall be made available for information leading to the capture of senior members of the Baath party and individuals complicit in the crimes of the former regime.
- 6) The Administrator of the Coalition Provisional Authority or his designees may grant exceptions to the above guidance on a case-by-case basis.

### Section 2 Entry Into Force

This Order shall enter into force on the date of signature.

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L. Paul Bremer, Administrator Coalition Provisional Authority

### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 2

#### DISSOLUTION OF ENTITIES

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), relevant U.N. Security Council resolutions, including Resolution 1483 (2003), and the laws and usages of war,

Reconfirming all of the provisions of General Franks' Freedom Message to the Iraqi People of April 16, 2003,

Recognizing that the prior Iraqi regime used certain government entities to oppress the Iraqi people and as instruments of torture, repression and corruption,

Reaffirming the Instructions to the Citizens of Iraq regarding Ministry of Youth and Sport of May 8, 2003,

I hereby promulgate the following:

#### Section 1 Dissolved Entities

The entities (the "Dissolved Entities") listed in the attached Annex are hereby dissolved. Additional entities may be added to this list in the future.

# Section 2 Assets and Financial Obligations

- All assets, including records and data, in whatever form maintained and wherever located, of the Dissolved Entities shall be held by the Administrator of the CPA ("the Administrator") on behalf of and for the benefit of the Iraqi people and shall be used to assist the Iraqi people and to support the recovery of Iraq.
- 2) All financial obligations of the Dissolved Entities are suspended. The Administrator of the CPA will establish procedures whereby persons claiming to be the beneficiaries of such obligations may apply for payment.
- 3) Persons in possession of assets of the Dissolved Entities shall preserve those assets, promptly inform local Coalition authorities, and immediately turn them over, as directed by those authorities. Continued possession, transfer, sale, use, conversion, or concealment of such assets following the date of this Order is prohibited and may be punished.

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# Section 3 Employees and Service Members

- Any military or other rank, title, or status granted to a former employee or functionary of a Dissolved Entity by the former Regime is hereby cancelled.
- All conscripts are released from their service obligations. Conscription is suspended indefinitely, subject to decisions by future Iraq governments concerning whether a free Iraq should have conscription.
- 3) Any person employed by a Dissolved Entity in any form or capacity, is dismissed effective as of April 16, 2003. Any person employed by a Dissolved Entity, in any form or capacity, remains accountable for acts committed during such employment.
- 4) A termination payment in an amount to be determined by the Administrator will be paid to employees so dismissed, except those who are Senior Party Members as defined in the Administrator's May 16, 2003 Order of the Coalition Provisional Authority De-Baathification of Iraqi Society, CPA/ORD/2003/01 ("Senior Party Members") (See Section 3.6).
- 5) Pensions being paid by, or on account of service to, a Dissolved Entity before April 16, 2003 will continue to be paid, including to war widows and disabled veterans, provided that no pension payments will be made to any person who is a Senior Party Member (see Section 3.6) and that the power is reserved to the Administrator and to future Iraqi governments to revoke or reduce pensions as a penalty for past or future illegal conduct or to modify pension arrangements to eliminate improper privileges granted by the Baathist regime or for similar reasons.
- 6) Notwithstanding any provision of this Order, or any other Order, law, or regulation, and consistent with the Administrator's May 16, 2003 Order of the Coalition Provisional Authority De-Baathification of Iraqi Society, CPA/ORD/2003/01, no payment, including a termination or pension payment, will be made to any person who is or was a Senior Party Member. Any person holding the rank under the former regime of Colonel or above, or its equivalent, will be deemed a Senior Party Member, provided that such persons may seek, under procedures to be prescribed, to establish to the satisfaction of the Administrator, that they were not a Senior Party Member.

## Section 4 Information

The Administrator shall prescribe procedures for offering rewards to person who provide information leading to the recovery of assets of Dissolved Entities.

### Section 5 New Iraqi Corps

The CPA plans to create in the near future a New Iraqi Corps, as the first step in forming a national self-defense capability for a free Iraq. Under civilian control, that Corps will be professional, non-political, militarily effective, and representative of all Iraqis. The CPA will promulgate procedures for participation in the New Iraqi Corps.

### Section 6 Other Matters

- The Administrator may delegate his powers and responsibilities with respect to this Order as he determines appropriate. References to the Administrator herein include such delegates.
- 2) The Administrator may grant exceptions any limitations in this Order at his discretion.

# Section 7 Entry into Force

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator

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Coalition Provisional Authority

#### ANNEX

### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 3

#### DISSOLUTION OF ENTITIES

Institutions dissolved by the Order referenced (the "Dissolved Entities") are:

The Ministry of Defence

The Ministry of Information

The Ministry of State for Military Affairs

The Iraqi Intelligence Service

The National Security Bureau

The Directorate of National Security (Amn al-'Am)

The Special Security Organization

All entities affiliated with or comprising Saddam Hussein's bodyguards to include:

-Murafagin (Companions)

-Himaya al Khasa (Special Guard)

The following military organizations:

-The Army, Air Force, Navy, the Air Defence Force, and other regular military services

-The Republican Guard

-The Special Republican Guard

-The Directorate of Military Intelligence

-The Al Quds Force

-Emergency Forces (Quwat al Tawari)

## The following paramilitaries:

-Saddam Fedayeen

-Ba'ath Party Militia

-Friends of Saddam

-Saddam's Lion Cubs (Ashbal Saddam)

### Other Organizations:

-The Presidential Diwan

-The Presidential Secretariat

-The Revolutionary Command Council

-The National Assembly

-The Youth Organization (al-Futuwah)

-National Olympic Committee

-Revolutionary, Special and National Security Courts

All organizations subordinate to the Dissolved Entities are also dissolved.

Additional organizations may be added to this list in the future.

### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 3 (REVISED)

#### WEAPONS CONTROL

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Recognizing that weapons control is necessary in order to ensure a secure environment for the people of Iraq and to promote public order and safety,

I hereby promulgate the following:

### Section 1 Definitions

- "Coalition Forces" includes any and all personnel, including contractors, from Coalition Member States under the command or direction of the Coalition Provisional Authority or the Coalition Force Commander,
- "Criminal Proceedings Law" means Criminal Proceedings Law No. 23 of 1971, as amended, including amendments contained in CPA Memorandum Number 3, Criminal Procedures, CPA/MEM/18 June 2003/03.
- 3) "Firearms" mean automatic (7.62mm (.308 caliber) and under) and non-automatic rifles, shotguns and pistols for personal use, and associated ammunition. Such firearms are subject to licensing by the Ministry of Interior. Firearms do not include weapons rendered permanently inoperable, replicas, antiques or ceremonial weapons.
- 4) "Iraqi security forces" include any and all Iraqi personnel from the Iraqi Police Service, Iraqi Civil Defense Corps, Facilities Protection Service, Iraqi Border and Customs Police or any organization whose mission includes physical security that may be established by the CPA or under Iraqi law subsequent to the signing of this Order.
- 5) "Iraqi Weapons Code 1992" means the Law of Arms No. (13) of 1992, as amended by Law No. (15) of 2000.
- 6) "Military Weapons" are any weapons systems, ammunition or explosives or explosive devices of any type designed for use by any military forces but not including "Firearms" as defined in this Order. Military Weapons do not include weapons rendered permanently inoperable, replicas, antiques or ceremonial weapons. Military Weapons include "Special Category Weapons."

- 7) "Penal Code" means the Penal Code Law No. (111) of 1969, as amended, including Law (1) 2002 and CPA Order Number 7, Penal Code, CPA/ORD/9 June 2003/07.
- 8) "Public places" mean state-owned property, places of worship, holy sites, hospitals, schools, gathering places such as town squares and parks, streets and such other places that may be designated by the CPA,
- 9) "Special Category Weapons" are any explosives, improvised explosives or incendiary devices, grenades, rockets, shells or mines and any means of discharging such items, crew-served weapons of any kind, and Man Portable Air Defense Systems of any kind.

# Section 2 Relation to Existing Law

- 1) Article 6.2 of the Iraqi Weapons Code 1992 is hereby amended to suspend the exemption set out therein for employees of the governmental and social sector.
- 2) Article 8.2 of the Iraqi Weapons Code 1992, concerning licensing requirements, is amended to allow possession of no more than 50 rounds of ammunition for any licensed firearm.
- 3) In all other respects, including the penalties provisions (with the exception of the death penalty) the Iraqi Weapons Code 1992 remains in effect unless specifically inconsistent with this Order, in which event this order will take precedence.
- 4) CPA/ORD/23 May 2003/03 is superceded by this Order.

# Section 3 Authorized Possession and Use of Firearms and Military Weapons

- 1) The following individuals are authorized to possess and use issued Firearms and Military Weapons, including Special Category Weapons:
  - a) Coalition Forces,
  - b) Iraqi security forces, and
  - c) groups and individuals who have been authorized to carry weapons in the course of their duties by the CPA or Commander, Coalition Forces or their duly authorized delegates.

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- Private security firms may be licensed by the Ministry of the Interior to possess and
  use licensed Firearms and Military Weapons, excluding Special Category Weapons,
  in the course of their duties, including in public places.
- 3) Individuals may be authorized to possess Firearms for personal use by obtaining authorization from the Ministry of Interior, as described in Section 5 of this Order.

# Section 4 General Prohibitions

- 1) Unauthorized possession, transport, distribution, or use of Firearms or Military Weapons, including Special Category Weapons, is prohibited.
- Other than as provided for in Section 3, no person shall possess or use any Firearms or Military Weapons, including Special Category Weapons, in public places.
- 3) Other than by Coalition Forces and duly authorized Iraqi security forces whose duty position requires the carrying of concealed weapons in the course of their duties, the carrying of concealed weapons is prohibited.
- 4) All sales of Firearms and Military Weapons are prohibited, except as authorized by the CPA.

# Section 5 Weapons Authorization and Licensing

Individuals not otherwise authorized to possess or use Firearms or Military Weapons by this or any other CPA instrument may apply for weapons authorization. The licensing requirements for weapons set forth in the Iraqi Weapons Code 1992 and administered by the Ministry of Interior remain in effect. Firearms for personal use located in homes or places of business under rescinded Order Number 3 (CPA/ORD/23 May 2003/03) are subject to these licensing provisions. The Ministry of Interior shall issue procedures and establish timelines for licensing such Firearms. Possession of unlicensed Firearms in one's home or place of business for personal use, as permitted under rescinded Order Number 3, will continue to be authorized until the new procedures for licensing such Firearms become effective in accordance with a Public Notice to that effect.

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### Section 6 Penalties

- Firearms or Military Weapons, including Special Category Weapons, possession or use of which is unauthorized, are subject to confiscation by Coalition Forces and other relevant authorities.
- 2) Any person in violation of this Order may be detained, arrested, and prosecuted. If convicted, all lawful punishments may be adjudged, and the following terms of imprisonment will apply:
  - a. For the conviction of unauthorized possession, transport, distribution, sale, or use of a Military Weapon, excluding Special Category Weapons, a minimum term of imprisonment of 6 months and maximum term of imprisonment of life imprisonment.
  - b. For the conviction of possession, transport, distribution, sale, or use of a Special Category Weapon, a minimum term of imprisonment of 15 years, unless the proviso at paragraph 3 applies, and maximum term of imprisonment of life imprisonment. Where a person may be convicted of another offense relating to the use of a Special Category Weapon, the mandatory minimum term of imprisonment of 15 years, unless the proviso at paragraph 3 applies, shall also be applied to that conviction.
- 3) The mandatory minimum term of imprisonment of 15 years is subject to the proviso that in exceptional circumstances relating to the offender or the offense, the punishment may be reduced. The transport, distribution, sale or use of a Special Category Weapon shall never constitute exceptional circumstances.
- 4) Except as provided in paragraphs 2 and 3 of this Section, sentences for convictions of offenses under this Order or the Iraqi Weapons Code 1992 and which involve Military Weapons, including Special Category Weapons, may not be reduced as a result of mitigating excuse pursuant to paragraph 130 of the Penal Code. Persons convicted of committing these offenses shall not be eligible for Conditional Discharge as set forth in paragraph 331 of the Criminal Proceedings Law.
- 5) For the purposes of this Order, sentences of life imprisonment shall mean the remaining natural life of the person.
- 6) Authorized officials of the CPA or Coalition Forces may grant a certificate of immunity from prosecution for offenses under this Order or the Iraqi Weapons Code 1992 to a person who provides information that leads to the apprehension and conviction of persons in relation to whom information is sought by the CPA and

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Coalition Forces, or that results in the prevention of a significant crime against public security, the CPA or Coalition Forces.

# Section 7 Administrative Instructions

The interim Minister of the Interior, in consultation with the CPA Director of Interior Policy, may issue such Administrative Instructions as are necessary to carry out this Order.

### Section 8 Entry into Force

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator Coalition Provisional Authority

### COALITION PROVISIONAL AUTHORITY MEMORANDUM NUMBER 5

# IMPLEMENTATION OF WEAPONS CONTROL ORDER NO. 3 (CPA/ORD/23 May 2003/03)

Acknowledging, that the CPA, relying upon Coalition Forces, is obligated to take all measures in its power to restore and ensure, insofar as possible, public order and safety in Iraq;

Recognizing, that while the Coalition Provisional Authority generally seeks to protect diplomatic premises insofared the current security environment permits, it is not required to protect diplomatic facilities beyond the general obligation to restore, and ensure as far as possible, public order and safety;

Noting, that foreign liaison officials may bring into Iraq and/or maintain their own security forces only in full coordination with and with the agreement of Coalition Forces, including compliance with the procedures established pursuant to CPA Order Number 3 on Weapons Control, dated 23 May 2003;

Implementing CPA Order No. 3, section 5, which establishes a Weapons Authorization Program whereby individuals who can demonstrate a necessity to carry weapons may apply for temporary weapons authorization cards (TWCs) in order to carry weapons,

I hereby promulgate the following.

## Section 1 Definitions

"Foreign Mission Security Petrolina" interns () security personnel who are nationals of the country represented by a terrigin baison mission who are accompanying the mission and providing security services to such missions, (ii) employees of the United Nations or United Nations Specialized and Related Agencies designated in Annex A was the providing security services to the United Nations or the United Nations Specialized and Related Agencies, and (iii) security firms authorized by the CPA to provide security services to foreign haison missions, the United Nations or the United Nations Specialized and Related Agencies.

"Small Arms and Defensive Whater the spans Small Arms as defined in CPA. Order 3 including pistols, shownes, and infessional ammunition up to an

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including 7.62mm and Defension Meanman it cluding conveserved machine guns, non-lethal weapons and riot control opens.

#### Section 2 Pyrpose

This Memorandum specificances, there is design liaison missions, the United Nations, and the United Nations Specialized and Related Agencies to enter into and execute contracts for security services, and expressly permits the providers of such services to perform those actions are necessary to ensure proper security of foreign mission personnel and tembers, in thining the carrying of weapons.

## Sention 3 Authoritisation of Security Contracts

Foreign liaison missions in fran are nereby authorized to carry out any actions necessary to enter into and execute contracts with private security firms for the purpose of providing appropriate security foreign liaison mission facilities, personnel, and operations.

# Confere. Weapons Authorization

Subject to the regulations of hear lineary or lawrior, Foreign Mission Security Personnel, so long as they restore the formation to provide each services within Iraq, are hereby authorized to carry Small Arms and Defensive Weapons, when providing security services to forming Phison missions, the United Nations and the United Nations Specialized and have the former and their facilities, their personnel and their operations. Such takes that the capture provide the locations of their facilities with armed personnel to the CPA office advising the Ministry of Foreign Affairs and the CPA office advising the Linear and Interior.

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Any extent Iraqi law on regulation, it consistent with this Memorandum is hereby suspended.

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This Memorandum shall entur in the cer the date of signature.

L. Paul Bremer, Administra.

Coalition Provisional Authority

# MEMORANDUM NUMBER 5 IMPLEMENTATION OF WEAPONS CONTROL ORDER NO. 3

#### ANNEX A

Security personnel authorized by the CPA may possess Small Arms and Defensive Weapons to provide security for the following foreign liaison missions, the United Nations, and the United Nations Specialized and Related Agencies, their facilities, their personnel and their operations:

Algeria	Ita!v	Sri Lanka
Australia	Iran	Spain
Bahrain	Japan	Sudan
Bangladesh	Jordan	Switzerland
Bulgaria	Kerea	Tunis
China	Micropoc	Turkey
Czech Republic	Notherlands	UAE
Denmark	Palestine	United Kingdom
Egypt	Philippings	United States
France	25 and	
Germany	👫 nania	1
Greece	Russia	United Nations
India	Sorbia/Montenegro	United Nations
	1	Specialized and Related
		j Agencies

Security personnel of additional missions may be authorized to possesses Small Arms and Defensive Weapons by the CPA office advising the Ministry of Interior from time to time.

United Nations Specialized and Related Agencies are:

- 1. Food and Agricultural Organization of the United Nations (PAO)
- 2. The International Bank for February and Development (IBRD) and its affiliates, the International Development Association (IDA) and the International Finance Corporation (IFC)
- International Civil Aviation organization (ICAO)
- 4. International Fund for April 20 and the viscometry (IFAD)

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- 5. International Labour Organization (1995)
- 6. International Maritime Organ பட்ட (மீவ்)
- 7. International Monetary Foundary
- 8. International Organization for Migration (IOM)
- 9. International Telecommunication outer (Y.U)
- 10. United Nations Educations? Exertifies and Cultural Organization (UNESCO)
- 11. United Nations Industria (Department Organization (UNIDO)
- 12. Universal Postal Union (%) %
- 13. World Health Organiza 5 10 16 27
- 14. World Intellectual Property Organization (WIPO)
- 15. World Food Program (WFP)
- 16. World Meteorological Ormit of the Control of th

#### COALITION PROVISION AL AUTHORITY MEMORANDUM NUMBER 7

### DELEGATION OF AUTHORITY UNDER DE-BAATHIFICATION ORDER NO. 1 (CPA/ORD/16 May 2003/01)

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Recognizing that the Iraqi people have suffered large scale human rights abuses and depravations over many years at the hands of the Baath Party,

Noting the grave concern of Iraq. society regarding the direct posed by the continuation of Baath Party participation in the public acctor, including in particular the education system,

Observing that under the prior regime some fraqis may have become affiliated with the Baath Party for reasons not primarily related to their ideological heliefs,

Recognizing that organizing and expediting the Lastinification is an urgent task that is necessary to put Iraq on the path towards reconstruction and renewal,

Acknowledging that the Governing Council has created a Higher National De-Baathification Commission in cross to continuous to a secure, stable environment that will sustain freedom and democracy for the Iriqi people,

Recalling the steps already taken in CFA Order Number 1, De-Baathification of Iraqi Society (CPA/ORD/16 May 2003/04),

I hereby promulgate the following.

## Section 1. Desertation 6. Additionally

1) The Governing Council is hearby compared to carry out the de-Baathification of Iraqi society consistent with CPA Order No. 1, De-Baathification of Iraqi Society (CPA/ORD/16 May 2003/04). To the accent consistent with CPA Order No. 1 (CPA/ORD/16 May 2003/04), Decisions 1 and 2 of the Higher National De-Baathification Commission, made on September 14, 2003, are hereby ratified. Notwithstanding such rationations any accountaken by the Administrator pursuant to Section 1(6) of CPA Order No. 1 (Cranado/10 May 2003/01) shall remain in

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effect unless and until terminated on a case-py-case basis by the Higher National De-Baathification Commission.

2) The Governing Council is larger sutherized to seize and manage property and assets of the Baath Party, this seemed for Cha. Order No. 4, Management of Property and Assets of the Iraqi Baath Party, May 25, 2003. The Governing Council shall consult with the larger in developing procedures to ensure that such property is seized and managed timby and judiciously.

### Section 2 Let us and Conditions

The authority delegated under Section 1 of the Memorandum shall be subject to the following terms and conditions:

- 1) The Governing Council may fare section 2 of this Memorandum to the faction at one the faction Commission or other organization established by the Converning Council.
- 2) To the extent practicable, facility to extraorders regarding an fraqueinzen's affiliation with the Baath Party, or involvement with the Special Security, National Security, Special Protection for the Providency of Library Intelligence, Fedaliyeen Saddam, General Security or Mukhabara, mondo be wirelest the governorate (or equivalent) level of government or below, by meanifolds selected on the basis of their ability to analyze information objectively and recovering and indictious determinations. These factual determinations shall confide the matter and policies and procedures to be established by the Governing forms of the matter application throughout Iraq.
  - 3) The Governing Council, in coord ration with the concerned Minister or equivalent official, may establish specific at measurement procedures for application to particular professions or groups of individuals. Such procedures may concern the process of making facture that the first and the consequences of such determinations. Consistent with the process of exercises the Coverning Council shall authorize the continued employment of current to repeatly discharged fraqueively servants who were:
    - a) held as a POW of the time of pure of contember 4, 1930 through June 1, 2003;
    - b) released and repair at the status; and

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c) granted 'Udw Firque' and a conving his or her release and repatriation to Iraq and because of his at the statement of him at the statement of the statement

An Iraqi civil servant's eligable, the procession to the 6e-Baathification policy under this provision may be the first the special documentation issued by the International Committee of the first the special documentation or government organization.

In the first the first the first the first the first the status as a former POW, or that his or her involvement in the Statis have the first the status as a former POW, or that his or her involvement in the Statis have the first the continued service as a civil servant, the first the first three status for Commission may deny or at any time rescind as the process that it is the first three status as a former POW, or that his or her involvement in the Statis have the Baat infication Commission may deny or at any time rescind as the process that it is the first three status as a first continued service as a civil servant, the first three status and included the state of the Baat infication Commission may deny or at any time rescind as the process that the first three status as a first continued to the first three status and the state of the the state of

- 4) Any Iraqi citizen who is distance in the position of employment as a result of the exercise of the authors, not much as a result in the excision that

  - b) a reasonable opportunity to impose the net negation in writing or in person and present evidence; and
  - c) a reasonable opportunity to be sent our reclaimly any adverse decision, in writing or in person, to a fair and \$\frac{1}{2} \to \frac{1}{2} \to \frac{1}{2}
- 5) In any case in which a distribute of the second of the dismissed employee shall have the right to the present of the matter by the Higher National De-Baathification containes of the matter of the matter by the Higher National De-Baathification of the matter of the purpose.
- 6) If an appeal results in an emptor of a contract and employee shall be paid back pay from the date of dismissing the contract and con
- 7) Following consultation with the close to the property the Administrator may reinstate an employee if he concludes to a subset of the concludes to the subset of the property of the failing to reinstate the employee way that a conclude the concludes the employee way the concludes the conclude the concludes the conclude the concludes the concludes the conclude the conclude the concludes the conclude the conclude
- 8) The Governing Council share about the first Analyster of Finance before exercising the authority consistence of the state of the first and a manner that will significantly affect the national manger of the state.

- 9) The Governing Council shad a contract to the use of de-Band at the test of the item is any area identified by the Administrator where the match to the test of the item of the interpretations affected by the procedures may raise section.
- 10) The Higher National De-set to the Administrator of the the Administrator of the the set of t

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### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 17

## STATUS OF THE COALITION, FOREIGN LIAISON MISSIONS, THEIR PERSONNEL AND CONTRACTORS

Pursuant to my authority as head of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Recalling that under international law occupying powers, including their forces, personnel, property and equipment, funds and assets, are not subject to the laws or jurisdiction of the occupied territory,

Conscious that states are contributing personnel, equipment and other resources to the Coalition in order to contribute to the security and stability that will enable the relief, recovery and development of Iraq,

Noting that states are sending Foreign Liaison Mission Personnel to Iraq.

Conscious of the need to establish and confirm the status of such Coalition and Foreign Liaison Mission Personnel in respect of the CPA and the local courts.

I hereby promulgate the following:

## Section 1 Definitions

- 1) "Coalition Personnel" means all non-Iraqi military and civilian personnel assigned to or under the command of the Commander, Coalition Forces, or all forces employed by a Coalition State including attached civilians, as well as all non-Iraqi military and civilian personnel assigned to, or under the direction or control of the Administrator of the CPA.
- 2) "Foreign Liaison Mission Personnel" means those individuals who have been issued Foreign Liaison Mission personnel identification cards by the Iraqi Ministry of Foreign Affairs under the supervision of the CPA.
- "Legal Process" means any arrest, detention or legal proceedings in the Iraqi courts or other Iraqi bodies, whether criminal, civil, administrative or other in nature.
- 4) "Parent State" means the state providing Coalition Personnel as part of the Coalition in Iraq or the state providing Foreign Liaison Mission Personnel.
- 5) "Coalition contractors" means non-Iraqi business entities or individuals not normally resident in Iraq supplying goods and/or services to or on behalf of the Coalition Forces or the CPA under contractual arrangements.

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6) "Coalition sub-contractors" means non-Iraqi business entities or individuals not normally resident in Iraq supplying goods and/or services to or on behalf of Coalition contractors and in respect of Coalition or CPA activities under contractual arrangements

## Section 2 Coalition and Foreign Liaison Mission Personnel

- ) CPA, Coalition Forces and Foreign Liaison Mission, their property, funds and assets of shall be immune from Iraqi Legal Process.
- 2) All Coalition personnel and Foreign Liaison Mission personnel shall respect the Iraqi laws applicable to those Coalition personnel and Foreign Liaison Mission personnel in the territory of Iraq and the Regulations, Orders, Memoranda and Public Notices issued by the Administrator of the CPA.
- 3) Foreign Liaison Mission personnel shall be immune from Legal Process.
- 4) All Coalition personnel shall be subject to the exclusive jurisdiction of their Parent States and, they shall be immune from local criminal, civil, and administrative jurisdiction and from any form of arrest or detention other than by persons acting on behalf of their Parent States, except that nothing in this provision shall prevent Coalition Forces personnel from preventing acts of serious misconduct by Coalition personnel, or otherwise temporarily detaining Coalition personnel who pose a risk of injury to themselves or others, pending expeditious turnover to the appropriate authorities of the Parent State. In all such circumstances the national contingent commander of the detained person shall be notified immediately.
- 5) In respect of those Coalition personnel who commit an act or acts in Iraq for which there are no criminal sanctions in the Parent State, the CPA may request from the Parent State waiver of jurisdiction to try such act or acts under Iraqi law. In such cases, no Legal Process shall be commenced without the written permission of the Administrator of the CPA.

## Section 3 Contractors

- Coalition contractors and their sub-contractors as well as their employees not normally
  resident in Iraq, shall not be subject to Iraqi laws or regulations in matters relating to the
  terms and conditions of their contracts in relation to the Coalition Forces or the CPA.
  Coalition contractors and sub-contractors other than contractors and sub-contractors
  normally resident in Iraq shall not be subject to Iraqi laws or regulations with respect to
  licensing and registration of employees, businesses and corporations in relation to such
  contracts.
- 2) Coalition contractors and their sub-contractors as well as their employees not normally resident in Iraq, shall be immune from Iraqi Legal Process with respect to acts performed by them within their official activities pursuant to the terms and conditions of a contract between a contractor and Coalition Forces or the CPA and any sub-contract thereto.

CPA/ORD/26 June 2003/17

3) In respect of acts or omissions of Coalition contractors and sub-contractors as well as their employees not normally resident in Iraq, which are not performed by them in the course of their official activities pursuant to the terms and conditions of a contract between them and the Coalition or the CPA, no Iraqi or CPA Legal Process shall be commenced without the written permission of the Administrator of the CPA.

## Section 4 Duration of Immunity From Legal Process

The immunity from Legal Process provided by the present Order to Coalition personnel and Foreign Liaison Mission personnel as well as Coalition contractors, sub-contractors and their employees not normally resident in Iraq operates only in respect to acts or omissions by them during the period of authority of the CPA.

## Section 5 Waiver of Legal Immunity and Jurisdiction

- The immunity from Legal Process of Coalition personnel, Foreign Liaison Mission
  personnel, Coalition contractors and their sub-contractors as well as their employees not
  normally resident in Iraq is not for the benefit of the individuals concerned and may be
  waived by the Parent State.
- 2) Requests to waive jurisdiction over Coalition personnel or Foreign Liaison Mission personnel shall be referred to the respective Parent State.
- 3) Requests to waive the immunities with respect to Coalition contractors and subcontractors and their employees not normally resident in Iraq as set forth in Section 3 of this Order shall be referred to the respective Parent State with which the contractor has contracted.

## Section 6 Claims

1) Third party claims including those for property loss or damage and for personal injury, illness or death or in respect of any other matter arising from or attributed to Coalition personnel or any persons employed by them, whether normally resident in Iraq or not and that do not arise in connection with military combat operations, shall be submitted and dealt with by the Parent State whose Coalition personnel, property, activities or other assets are alleged to have caused the claimed damage, in a manner consistent with the national laws of the Parent State.

2) Third party claims for property loss or damage and for personal injury, illness or death or in respect of any other matter arising from or attributed to Foreign Liaison Mission personnel shall be submitted and dealt with by the Parent State whose Foreign Liaison Mission personnel, property, activities or other assets are alleged to have caused the claimed damage, in a manner consistent with the national laws of the Parent State.

## Section 7 Entry Into Force

This Order shall enter into force on the date of signature.

L Paul Bremer, Administrator
Coalition Provisional Authority

### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 25

### ESTABLISHMENT OF THE IRAQI CIVIL DEPENSE CORPS

Pursuant to my authority as head of the Coalities Provinced Authority (CPA), under the laws and usages of war, and consistent with tribute United National Security Council resolutions, including Resolution 1483 (2005),

Noting that Resolution 1483 appeals to Mamber States to annie the propile of his in their efforts to reform their institutions, rebuild their country, and to contribute to conditions of stability and security in Iraq.

Understanding the need to address promptly threats to public assembly and stability resulting from wrongful acts or disasters.

Recognising that continued stacks and acts of subotage by Brainist magnification terrorists intend on magnificiang security in Into acceptable the terrorists establishment of an Iraqi constabulary force to operate with Canada Report to counter the threat and magnifican security in Iraq.

I hereby promulgate the following:

# Section 1 Establishment of the Iring Civil Melium Corps.

- The Iraqi Civil Defense Corps is established as a temperaty stabilities, efficient to a decision by an internationally stoognized, promotive globariuming established by the people of Iraq, to continue or distant this Copps.
- 2) The Iraqi Civil Defense Corps is a security and emergency assisting agency for Iraq. The Iraqi Civil Defense Corps is compared of Iraqis with will complement operations conducted by Coalities relikely fences in Iraq to counter organized groups and individuals employing victimes against the people of Iraq and their national infrastructure.
- 3) In support of Coshidas operations to provide security and stability to the people of Iraq, the lang Civil Defense Come is sufficient to sections constability duties, including the following tradit parameters are and state areas; conducting operations to scarch for and state illegist suspects and rates controlled providing fixed site, check passes, seen, return and survey actionly, providing crowd and not control; disaster response survived spaces and survey operations including transportation services; confidentially joint passes, with

Confition Forces; and, participating in other activities dealers to their positive relationships between the Iraqi people and Cambridge authorities including serving as community liaisons.

- 4) The Iraqi Civil Defense Corps is distinct from the Iraqi Civil Defense Corps will be designed to perform operations that seasons the present of the police.
  - a) While on duty and under the supervision of Continue Plants recentled of the least Civil Describe Corps will use be added to the least Police. Except as provided because on the least to the Corps will not have, or exercise, demonstrate and exercise to the least t
  - b) The Irrapi Civil Defleres Corps is self a commencer of the Policies of State of August 2003/22) and is not subject to the order of the Rev Day Acceptable of communed.

# Section 2 Organization of the Iran Civil Holiston Civils.

- 1) The Irugi Civil Describe Corps shall consider of South a substantial of South and substantial include source or substantial of the substantial
- 2) All imagis who must the professional crimatic annihilation to similarity Administrative Instructions are eligible the sense of the sense of the control of the CPA CREATE May 2003/01) what he control of the CPA to grant such an exception.
- 3) Service in the Iraqi Civil Defense Corps in voluntary. Voluntary for recripting the track Civil Defense Corps will be required at series the a particle of 12 mention subject to a decision either by the CPS of the accordance by recognized representative government, establishment in market of their services of their contents of the extention without the content of the property of the extention without the content of the property processes property in the case of a settional emergency processes processes to have
- 4) The Administrator of the CPA or a designer under the forms of Section 7. below that have final authority over the selection and application of

members of the Iraqi Civil Defense Corps and shall have the authority to dismiss such members on such grounds as he determines to be appropriate.

- 5) The terms and conditions of service and organization, including rank structure, of the Iraqi Civil Defense Corps may be further defined by Administrative Instructions, issued by the Administrator of the CPA or a designee, as may be considered necessary to give effect to the terms of this Order.
- 6) Members of the Iraqi Civil Defense Corps may not:
  - (a) be members of a political party, organization or association;
  - (b) participate in any activities of a political party, organization or association or recruit members for political parties or organizations;
  - (c) publicly state any opinion of a political nature that constitutes an effort to indoctrinate members of the Iraqi Civil Defense Corps or any other person with a political ideology or otherwise convince any person to adhere to a particular political ideology;
  - (d) advocate racial, gender or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, gender, religion, or regional origin; or use, or advocate the use of, force or violence or other unlawful means for political purposes, whether internal or international; or
  - (e) participate in any manner in organizations or activities that involve, promote, or practice the conduct described in Section 2(6)(c) and (d).

Nothing in this Section shall limit the right of a member of the Iraqi Civil Defense Corps to vote in elections for political office organized on a local, regional or national level. Violations may result in the removal of the member from employment in the Iraqi Civil Defense Corps.

# Section 3 Authority of the Iraqi Civil Defense Corps

1) Members of the Iraqi Civil Defense Corps may, while performing their official duties, apprehend persons who (i) they witness committing or attempting to commit a criminal offense, (ii) have escaped after being lawfully arrested, or (iii) otherwise interfere with their lawful activities. Persons apprehended by the Iraqi Civil Defense Corps must be turned over to the Iraqi police or Coalition Forces within twelve hours of apprehension or be released. Members of the Iraqi Civil Defense Corps may not interrogate, except under the direct

supervision of Coalition Forces, or otherwise detain persons except as provided herein.

- 2) When acting under the supervision of Coalition Forces, the Iraqi Civil Defense Corps may limit access to certain areas as reasonably necessary to ensure the security of persons or property contained in or passing through such areas.
- 3) Members of the Iraqi Civil Defense Corps may, while performing their official duties, conduct reasonable searches for weapons or other dangerous or prohibited items (i) on persons or vehicles entering or in designated areas, (ii) on criminal suspects incident to apprehension, or (iii) when acting under the supervision of Coalition Forces, in areas or buildings where dangerous or prohibited items, including prohibited weapons, are reasonably believed to exist. Members of the Iraqi Civil Defense Corps may conduct reasonable searches at established checkpoints anywhere within Iraq and at other locations to prevent such items from being carried into, transported within, or out of designated areas.
- 4) Members of the Iraqi Civil Defense Corps may, while performing official dutics, use force against persons or things as is reasonable and necessary under the circumstances. However, the use of force that may be likely to cause death or serious bodily injury is not permitted unless the member reasonably believes that using such force is necessary to: (i) protect himself or others from the imminent use of deadly force or force likely to cause serious bodily injury, (ii) prevent the escape of a person suspected of committing murder or assault resulting in serious bodily injury, or (iii) defend Coalition, ministry or governorate offices, government or state-owned infrastructure, and fixed sites under the direction and control of Coalition or governmental authorities, to prevent their destruction or incapacitation.

# Section 4 Functioning of the Iraqi Civil Defense Corps

- 1) The Iraqi Civil Defense Corps shall operate under the authority of the Administrator of the CPA and shall be subject to the supervision of Coalition Forces. The Administrator of the CPA may delegate to the senior military commander of Coalition Forces in Iraq responsibility and authority for the recruiting, training, organization, and control of the Iraqi Civil Defense Corps. This responsibility and authority may be redelegated pursuant to Section 7 below.
- 2) Operational or tactical command of units of the Iraqi Civil Defense Corps operating with Coalition Forces shall be vested in an officer of Coalition

Forces designated by the senior military commander of Coalition Forces in Iraq pursuant to Section 7 below.

 The Iraqi Civil Defense Corps will not be deployed outside the territory of Iraq, except for training or exchange programs.

## Section 5 Jurisdiction

- 1) Members of the Iraqi Civil Defense Corps will be subject to Iraqi law at all times and the civilian criminal courts of Iraq shall have jurisdiction over offenses alleged to have been committed by members of the Iraqi Civil Defense Corps. The Administrator of the CPA may determine that offenses alleged to have been committed by members of the Iraqi Civil Defense Corps while on duty may be submitted to the Central Criminal Court of Iraq in accordance with CPA Order Number 13 (Revised), The Central Criminal Court of Iraq (CPA/ORD/13 July 2003/13).
- 2) Members of the Iraqi Civil Defense Corps shall enjoy immunity from civil liability for acts or omissions arising within the scope of their duties and in the conduct of authorized operations to the same degree as other governmental officials under the law of Iraq.

### Section 6 Weapons

The possession of weapons by members of the Iraqi Civil Defense Corps is regulated by CPA Order Number 3, Weapons Control Order (CPA/ORD/23 May 2003/03).

# Section 7 Delegation of Authority

The Administrator of the Coalition Provisional Authority may delegate responsibilities under this Order, as determined by the Administrator, to the senior military commander of Coalition Forces in Iraq. The senior military commander of Coalition Forces in Iraq may further delegate responsibilities under this Order to those under his command.

# Section 8 Entry into Force

This Order shall enter into force on the date of signature.

L Paul Bremer, Administrator Coalition Provisional Authority

#### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 42

#### CREATION OF THE DEFENSE SUPPORT AGENCY

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Recalling that U.N. Resolution 1483 (2003) called upon the CPA to promote the welfare of the Iraqi people through the effective administration of the territory, including in particular working towards the restoration of conditions of security and stability.

Further Recalling that CPA Order Number 22 established a New Iraqi Army as the first step towards the creation of the national defense force which is essential to the security and stability of Iraq,

Acknowledging that effective, centralized administrative and logistical support are vital to the success of the New Iraqi Army,

I hereby promulgate the following:

## Section 1 Establishment

- 1) This Order establishes the Defense Support Agency (DSA) as a civilian agency charged with the administrative and logistical support of the New Iraqi Army.
- 2) The DSA shall operate under the authority, direction and control of the CPA.
- 3) The DSA shall operate pursuant to this order unless or until it is dissolved by the Administrator of the CPA ("the Administrator") or the internationally recognized, representative government established by the people of Iraq.

#### Section 2 Duties

- The DSA shall be responsible for the following functions in support of the New Iraqi
  Army:
  - a) Finance and accounting, including payroll, disbursements, and accounting for expenditures by the New Iraqi Army;
  - b) Personnel management;

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- d) Recruitment;
- e) Procurement;
- f) Logistics support, including maintenance, supply, and transportation;
- g) Medical support;
- h) Legal affairs;
- Real property management, including construction and repair of New Iraqi Army buildings and oversight of the management of military bases by their commanders;
   and
- j) other duties in support of the New Iraqi Army as determined by the Administrator.
- 2) The DSA shall not exercise any command authority or staff function over New Iraqi Army military units, or be responsible for setting security policy. Nor shall the DSA be responsible for determining the requirements of the New Iraqi Army.
- The DSA shall submit a quarterly report to the Governing Council detailing its prior quarter activities and plans for the following quarter.

Section 3 Structure

- 1) The Administrator shall appoint a Director-General of the DSA. Until such appointment has been made, the CPA Director of Security Affairs (National Security and Defense) shall serve as interim Director-General. The Director-General shall report directly to the Administrator.
- 2) The DSA shall initially consist of six Departments:
  - a) Financial Management;
  - b) Personnel Management, Recruiting, and Training;
  - c) Procurement and Logistics Support;
  - d) Real Property Management;

- e) Legal Affairs; and
- f) Medical Support.
- 3) The Director-General, with the approval of the Administrator or his designee, shall appoint the Director of each Department.
- 4) The Director-General may establish, reorganize, or eliminate Departments by Administrative Instruction. Likewise, the Director-General may apportion, reapportion or remove Department responsibilities by Administrative Instruction. Any such Administrative Instructions shall require the approval of the Administrator or his designee.
- 5) Defense Support Agency personnel shall be civilians and may include former military personnel and civilian state employees. No person who was a full member of the Baath Party holding the rank of 'Udw Qutriyya (Regional Command Member), 'Udw Far' (Branch Member), 'Udw Shu'bah (Section Member), or 'Udw Firqah (Group Member) shall be eligible for employment in the DSA except with specific permission of the Administrator.
- 6) Salaries of DSA personnel will conform to the salary structure applicable to Iraqi government employees.

## Section 4 Administrative Instructions

The Director-General may issue Administrative Instructions, not inconsistent with Iraqi law or any CPA Order, Regulation, or Memorandum, as necessary to carry out the duties described under this Order.

## Section 5 Entry into Force

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator Coalition Provisional Authority



# COALITION PROVISIONAL AUTHORITY BAGHDAD

FOR:

THE IRAQI GOVERNING COUNCIL

FROM:

THE ADMINISTRATORY 2 204

SUBJECT

Notification of Intent to Promulgate Order Regarding Local

Governmental Powers

Please find attached the final version of a proposed CPA Order regarding local government authorities, which I plan to sign into law on April 5. The order clarifies the authorities and responsibilities of local government organizations and officials.

The issuance of this order concludes an extensive consultation process with our governors, CPA Governorate Coordinators, provincial councils, the Ministry of Interior, and the Governorates Committee of the Iraqi Governing Council. CPA appreciates all the views expressed in this process and sought to accommodate as many of those as were consistent with the principal of decentralization, a cornerstone of the TAL. CPA recognizes that some disagreements about the proper balance between the center and the governorates remain. The order, however, is a temporary one that would remain in effect only until amended or rescinded by a sovereign Iraqi government.

Thank you for your interest in this process and its outcome.

#### COALITION PROVISIONAL AUTHORITY ORDER NUMBER XX

#### THE IRAQI ARMED FORCES

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolutions 1483 and 1511 (2003),

Noting that Resolution 1483 appeals to Member States, among other things, to assist the people of Iraq to contribute to conditions of stability and security in Iraq,

Recalling that CPA Order Number 2 on the Dissolution of Entities dissolved the Army, Air Force, Navy, Air Defense Force, and other regular military services, the Republican Guard, the Special Republican Guard, the Directorate of Military Intelligence, the Al Quds Force, the Quwat ai Tawair, Saddam Fedayeen, Ba'ath Party Militia, Friends of Saddam and Saddam's Lions Cubs (Ashbal Saddam) and other entities.

Noting the establishment of the New Iraqi Army (now redesignated as the Iraqi Armed Forces) under CPA Order Number 22 as the first step toward the creation of the national defense force of the new Iraq,

Noting the establishment of the Iraqi Civil Defense Corps under CPA Order Number 28 as a security and emergency service agency for Iraq to complement operations conducted by Coalition military forces in Iraq to counter organized groups and individuals employing violence against the people of Iraq and their national infrastructure,

Recognizing the Iraqi Counter-Terrorism Force operates as a component of the Iraqi Armed Forces to counter terrorists and individuals employing violence against the people of Iraq and their national infrastructure,

Noting the establishment of the new Iraqi Ministry of Defence under CPA Order Number 67 to provide civilian control and oversight of the Iraqi Armed Forces,

Further noting the adoption of the Law of Administration for the State of Iraq for the Transitional Period on March 8, 2004,

Determined to bring all Iraqi military forces under the unified command of the Iraqi Armed Forces and to provide for their legitimate use and regulation in service to the Iraqi people,

I hereby promulgate the following:

#### PART I GENERAL INFORMATION

### Section 1 Definitions

- 1) "Administrator" means the Administrator of the Coalition Provisional Authority and, unless otherwise indicated, the civilian head of government exercising national command authority following transfer of full governance authority to the Iraqi Interim Government.
- 2) "Code of Military Discipline" is the Code of Military Discipline promulgated under CPA Order Number 23.
- 3) "Commander in the Iraqi Armed Forces" means an Iraqi officer appointed from time to time in accordance with this Order to command positions in the Iraqi Armed Forces.
- 4) "Defense Areas" are defined as any land, water, or super-adjacent air space contained within the territory of Iraq, or any building or part of a building or any other building that is reserved or set apart, used or otherwise controlled for defense purposes, by designation under Part I, Section 6 of this Order.
- 5) "Extremist Organizations or Activities" are organizations or activities that advocate racial, gender or ethnic hatred or intolerance; advocate, create, or engage in discrimination based on race, color, gender, religion, sect, tribal or regional origin; or use, or advocate the use of, force or violence or other unlawful means for political purposes, whether internal or international
- 6) "Iraqi Armed Forces" means the military forces of Iraq organized for the purposes set forth in this Order, to include the Army, Air Force, Coastal Defense Force, reserve components (when established), Iraqi Civil Defense Corps, Iraqi Counter-Terrorism Force, and associated headquarters.
- 7) "Member of the Iraqi Armed Forces" means a person serving in any component of the Iraqi Armed Forces from the time of attestation until the date of termination of service.
- 8) "Military Offense" means an act or omission described in Section 3 of the Code of Military Discipline.

9) "Serious Offense" means a criminal offense under the criminal laws of Iraq or the Code of Military Discipline that authorizes, in the event of a conviction, confinement for a period in excess of three months as a punishment.

# Section 2 Respect for the Rights and Freedoms of the Iraqi People

The Iraqi Armed Forces and its members shall at all times respect the rights and freedoms of the Iraqi people enumerated in the Law of Administration for the State of Iraq for the Transitional Period and, when adopted, those rights and freedoms set forth in the permanent Constitution of Iraq.

# Section 3 Civilian Control of the Iraqi Armed Force

The Iraqi Armed Forces shall at all times be subject to the control of the Administrator and civilian Minister of Defence.

## Section 4 Purpose and Mission of the Iraqi Armed Forces

- 1) The purpose of the Iraqi Armed Forces is the defense of Iraq.
- 2) The tasks of the Iraqi Armed Forces include developing a military capability during the period of authority of the Coalition Provisional Authority in order to provide the basis for militarily effective, professional, and non-political armed forces for the military defense of the nation after transfer of full governance authority to the Iraqi Interim Government.
- 3) Except as provided herein, the Iraqi Armed Forces shall not be used to perform domestic law enforcement functions or for any other domestic purpose.
- 4) The Iraqi Armed Forces shall consist of the active and reserve units, and elements thereof, to include associated headquarters. The components of the Iraqi Armed Forces and their missions are as follows:
  - a) Army
  - b) Air Force
  - c) Coastal Defense Force
  - d) Iraqi Civil Defense Corps (temporary)

e) Iraqi Counter-Terrorism Force (temporary?)

### Section 5 Command Structure

- 1) The Administrator is the Commander in Chief of the Iraqi Armed Forces.
- 2) Command positions in the Iraqi Armed Forces will be held by Iraqi officers only.
- 3) The Chief of Staff of the Iraqi Armed Forces shall be appointed by and report to the Minister of Defence.
- 4) Joint HQ?
- 5) The Administrator or Minister of Defence will designate officers to command the various components and principal units of the Iraqi Armed Forces. The specific assignments of subordinate officers shall be made in accordance with procedures established by Administrative Instruction issued by the Minister of Defence.

# Section 6 Administrative Inquiries

- 1) The Minister of Defence may, by Administrative Instruction, issue such rules made under this Section for the convening of an Administrative Inquiry to investigate any matter regarding the operation of any part of the Iraqi Armed Forces. Reports of such inquiries shall establish the facts of the matter, draw conclusions, and make any recommendations as may be appropriate.
- 2) An Administrative Inquiry may be convened by an officer of the rank of Lieutenant Colonel or above who holds a command position with respect to any matter concerning a unit under his command and its operation or the Members of the Iraqi Armed Forces under his command, except that an Administrative Inquiry may not be convened to investigate a matter already under investigation as a criminal matter until such time as the criminal investigation is completed. In circumstances in which an Administrative Inquiry has been commenced and it discovers evidence of a Military Offense then it may refer the matter to a Disciplinary Officer in accordance with the Code of Military Discipline. Following referral of the matter to a Disciplinary Officer, the Administrative Inquiry will be completed in accordance with the rules governing such Inquiries.

#### Section 7 Defense Areas

The Administrator or the Minister of Defence may prohibit or restrict access by any person to any Defense Area and may make all appropriate provisions for the control and security of any Defense Area. In the event such prohibitions or restrictions limit access to privately-owned property, reasonable compensation shall be promptly paid to the property owner during the period of limited access.

# Section 8 Use of the Iraqi Armed Forces Abroad

- 1) The Iraqi Armed Forces shall not conduct or support military, peacekeeping, or humanitarian operations outside of Iraq, or deploy in anticipation of conducting or supporting such operations, except with the prior express approval of the Administrator or, following transfer of full sovereign authority to the Iraqi Interim Government, the approval specified in the Law of Administration for the State of Iraq for the Transitional Period or, when adopted, the permanent Constitution of Iraq.
- 2) Any such authorized deployment or use of the Iraqi Armed Forces shall cease, and all deployed forces shall be immediately recalled, when so demanded by two-thirds vote of the body vested with national legislative authority.
- 3) Nothing in this Section shall limit the right of individual Members of the Iraqi Armed Forces to be sent abroad to participate in training, exercises, exchanges, visits, or similar non-operational activities.

### PART II TERMS AND CONDITIONS OF SERVICE

#### Section 1 Enlistment

- 1) The minimum age for enlistment in the Iraqi Armed Forces is 18 years of age.
- 2) Citizenship requirement?
- 3) Service in the Iraqi Armed Forces will be voluntary and for a set term of enlistment.

- 4) Suitability for service in the Iraqi Armed Forces will be determined on several criteria including, but not limited to:
  - a) demonstrated physical ability;
  - b) demonstrated minimum scholastic aptitude;
  - c) the absence of evidence of human rights violations or war crimes;
  - d) the absence of affiliation with the security and political control organs of the former regime;
  - e) the absence of association with Extremist Organizations or Activities or other groups that use or advocate the use of violence for political purposes whether internal or international;
  - f) provided, however, no qualified person will be denied the opportunity to serve on the basis of race, color, gender, religion, sect, tribal or regional origin.
- 5) Prior military service is not required, but persons with military experience will be eligible to join the Iraqi Armed Forces, subject to meeting the applicable standards, including the criteria listed in Part II, Section 1.3 above. No person involved in Ba'ath Party activity within the leadership tiers described in CPA Order Number 1 shall be eligible except with specific permission of the Administrator.

### Section 2 Rank Structure

- The Iraqi Armed Forces will consist of commissioned officers and enlisted personnel with ranks that may include warrant officers and non-commissioned officers.
- 2) The ranks of officers will, in ascending order, be:

Tilmeez Daabet	Officer Candidate
Mulaazem	2nd Lieutenant
Mulaazem Awwal	1st Lieutenant
Naqeeb	Captain
Raaed	Major
Muqaddam	Lt. Colonel
	Mulaazem Mulaazem Awwal Naqeeb Raaed

عقيد	Aaaqeed	Colonel
عميد	Aameed	Brigadier General
لواء	Liwaa	Major General
فريق	Fareeq	Lt. General

- 3) The Administrator or Minister of Defence may, in accordance with Administrative Instructions, by instrument in writing, commission persons to be officers of the Iraqi Armed Forces at a rank to be determined by the person conducting the commissioning. It shall be possible for personnel to be commissioned on entering the Iraqi Armed Forces at a commissioned rank above Second Lieutenant.
- 4) The ranks of enlisted personnel, non-commissioned officers and warrant officers will, in ascending order, be:

جندي	Jundi	Private
أول جندي	Jundi Awwal	Private 1st Class
نانب عریف	Naeb Aareef	Corporal
عريف	Aareef	Sergeant
عريف أول	Aareef Awwal	Sergeant 1st Class
وكيل	Wakeel	Master Sergeant
وكيل أول	Wakeel Awwal	Sergeant Major
مؤهل	Muahhal	Warrant officer
مؤهل أول	Muahhal Awwal	Chief Warrant Officer

- 5) The appointment of enlisted personnel and warrant officers will be made by the person authorized under Administrative Instructions issued by the Minister of Defence. It shall be possible for personnel entering the service to be appointed to an enlisted rank above that of Private.
- 6) Promotion of officers and enlisted personnel will be made pursuant to procedures to be established by the Administrator or Minister of Defence on the basis of merit established by reference to experience, demonstrated competence in the current rank and potential for exceptional performance in the next higher rank.
- 7) The Administrator or Minister of Defence shall appoint officers of the Iraqi Armed Forces at the rank of general or above. Following transfer of full

governance authority to the Iraqi Interim Government, the Council of Ministers or similar body shall appoint officers of the Iraqi Armed Forces at the rank of general or above and such appointments shall be subject to confirmation by the body vested with national legislative authority by simple majority of those of its members present.

# Section 3 Pay and Allowances

- Pay and allowances for members of the Iraqi Armed Forces will be established by and paid in accordance with Administrative Instructions issued by the Administrator or Minister of Defence.
- 2) Death and disability benefits for Members of the Iraqi Armed Forces shall be paid and administered in accordance with CPA Order Number 63.
- 3) A Member of the Iraqi Armed Forces will automatically forfeit a day's pay and allowances for each full or partial calendar day that the Member absents himself from his place of duty or unit without the permission of a superior officer authorized to grant such permission, and shall in addition be subject to appropriate disciplinary action, including the commencement of Disciplinary Proceedings under the Code of Military Discipline.

#### Section 4 Leave

Members of the Iraqi Armed Forces may take leave subject to the needs of the service, upon receiving permission from a duly authorized officer. The period of leave and other relevant details are to be specified by Administrative Instructions.

### Section 5 Political Activities

- 1) Members of the Iraqi Armed Forces shall not:
  - a) publicly state or suggest any opinion of a political nature that constitutes an effort to indoctrinate members of the Iraqi Armed Forces or any other person with a political ideology;
  - b) advocate racial, gender or ethnic hatred or intolerance; advocate, create, or engage in discrimination based on race, color, gender, religion, sect, tribal

- or regional origin; or use, or advocate the use of, force or violence or other unlawful means for political purposes, whether internal or international; or
- c) participate in any manner in Extremist Organizations or Activities.
- 2) Members of the Iraqi Armed Forces may not hold or stand for election to political office or campaign for candidates.
- 3) A former Member of the Iraqi Armed Forces may not hold political office unless the individual has resigned his commission or rank or retired from duty at least eighteen months prior to serving.
- 4) Violations of the prohibitions contained in this Section may constitute a Military Offense under CPA Order Number 23 and may result in the removal of the Member from employment in the Iraqi Armed Forces.
- 5) Nothing in herein shall limit the right of a Member of the Iraqi Armed Forces to vote in elections for political office organized on a local, regional or national level.

### Section 6 Conflicts of Interest

- 1) Members of the Iraqi Armed Forces and their immediate family members shall not, directly or indirectly:
  - a) Hold financial interests that conflict with the member's conscientious performance of duty;
  - b) Engage in private financial transactions using non-public Government information or allow the improper use of such information to further any private interest;
  - c) Solicit or accept any gift or other item of monetary value from any subordinate, or from any person or entity seeking official action from, doing business with, or conducting activities regulated by the Iraqi Armed Forces, or whose interests may be substantially affected by the performance or nonperformance of the member's duties;
  - 4) Use public office for private gain; or
  - 5) Conduct any private activity that might give rise to the appearance of a conflict with official status or responsibilities.

2) Violations of the prohibitions contained in this Section may constitute a Military Offense under CPA Order Number 23 and may result in the removal of the Member from employment in the Iraqi Armed Forces.

# Section 7 Conduct and Discipline

- Members of the Iraqi Armed Forces shall comply with the lawful orders of the Administrator, the Minister of Defence, and those superior in rank to them, according to regulations and the Code of Military Discipline.
- 2) Members of the Iraqi Armed Forces shall comply with the lawful orders of those persons who are not members of the Iraqi Armed Forces who may be placed in operational command over them from time to time in conjunction with their duties, according to regulations and the Code of Military Discipline.
- 3) Members of the Iraqi Armed Forces are subject to the jurisdiction of the civilian criminal courts pursuant to the Criminal Procedures Code No. 23 of 1977, as amended from time to time, for offenses under the Penal Code No. 111 of 1969, as amended from time to time, and to the jurisdiction for military offenses established under the Code of Military Discipline.
- 4) In circumstances where both the civil and military authorities have jurisdiction over an offense, the military authorities will have primary jurisdiction. In all cases, jurisdiction will be exercised, and allocated, as provided for in the Code of Military Discipline.

#### Section 8 Weapons

The possession of Military Weapons, to include Special Category Weapons, and Firearms by Members of the Iraqi Armed Forces is regulated by CPA Order Number 3, Weapons Control, as revised and amended (CPA/ORD/31 December 2003/03), which Order may be supplemented by Administrative Instructions.

### Section 9 Term and Termination of Service

1) Volunteers for service in the Iraqi Armed Forces obligate themselves to an initial term of service for a period not to exceed 26 months, subject to a

decision by the Iraqi Interim Government to continue the existence of the Iraqi Armed Forces following transfer of full governance authority.

- a) At the end of any term of service, a Member may extend service for a further term of 24 months, subject to agreement by the appropriate authorities and the needs of the Iraqi Armed Forces.
- b) No period of service shall be extended without the consent of the Member, except in national emergencies as officially declared by the Administrator or, following transfer of full governance authority to the Iraqi Interim Government, according to law.
- e) Required minimum terms of service in special situations, such as advanced training, may be specified in Administrative Instructions issued by the Minister of Defence.
- 2) Service in the Iraqi Armed Forces may terminate on the occurrence of one of the following events:
  - a) Upon a determination that the Member's services are no longer required following the transfer of full governance authority to the Iraqi Interim Government, without prejudice to the right of the Iraqi Interim Government to assume the command and control of the Iraqi Armed Forces and all ongoing service obligations of its personnel.
  - b) Upon a determination by a Commander in the Iraqi Armed Forces in the Member's chain of command, based upon credible evidence, that the Member is unsuitable for further military service in the Iraqi Armed Forces on the basis of one of the following:
    - i) commission of a Serious Offense;
    - ii) a poor disciplinary record;
    - iii) medical unsuitability;
    - iv) consistently poor performance;
    - v) failure to meet basic standards of performance;
    - vi) unsuitability for military service;
    - vii) commission of a Military Offense;

- viii) violation of Part II, Sections 5 or 6, of this Order.
- c) Within seven days of notification of termination, a Member who has completed initial entry training may request that the decision to terminate his service be confirmed by the Minister of Defence. A determination under this Section 9.2(c) shall be conclusive upon confirmation by the Minister of Defence, or upon the elapse of seven days from the time of notification of termination, if no request for confirmation is made.
- d) Service in the Iraqi Armed Forces shall also terminate upon:
  - i) the granting of an application from a Member of the Iraqi Armed Forces for discharge based upon demonstrated need;
  - ii) the granting of an application to resign; or
  - iii) a determination by the Administrator or the Minister of Defence that such termination is necessary for the good of the service.

### PART III MILITARY ASSISTANCE TO CIVIL AUTHORITIES

Section 1
Requests for Local Support (in support of MOI forces?)

Section 2
Suppression of Rebellions (under MoD control)

### Section 3 Immunities and Defenses

Members of the Iraqi Armed Forces shall enjoy immunity from civil liability and be entitled to the justification of performance of duty under the Penal Code for acts or omissions arising within the scope of their duties and in the conduct of authorized operations to the same degree as other governmental officials under the law of Iraq. For purposes of paragraph 40 of the Third Edition of the 1969 Penal Code, members of the Iraqi Armed Foces are "public officials".

Section 4
Termination of Use (2/3 vote of national assembly?)

PART IV

# TEMPORARY AUTHORITY FOR MILITARY OPERATIONS WITH THE MULTINATIONAL FORCE IN LIGHT OF THE CURRENT EMERGENCY SITUATION WITHIN IRAO

#### Section 1

### General Authorities for the Iraqi Armed Forces While Under the Operational Control of the Commander of Multinational Forces

- 1) In light of the current emergency situation within Iraq, and consistent with Iraq's stated desire to join other nations in helping to maintain peace and security and fight terrorism during the transitional period pursuant to the provisions of United Nations Security Council Resolution 1511, and any subsequent relevant resolutions, all trained elements of the Iraqi Armed Forces shall at all times be under the operational control of the Commander of Multinational Forces for the purpose of conducting combined operations and providing other support within Iraq as provided herein.
- The Minister of Defence shall continue to exercise administrative control over elements of the Iraqi Armed Forces that are under the operational control of the Commander of Multinational Forces.
- 3) In support of Multinational Force operations to provide security and stability to the people of Iraq, the Iraqi Armed Forces are authorized to provide protection for critical installations, facilities, infrastructure, and lines of communication and supply.
- 4) Operational or tactical command of units of the Iraqi Armed Forces operating with Multinational Forces may be vested in an officer of the Multinational Forces of rank superior to that of the commander of such Iraqi units.
- 5) Members of the Iraqi Armed Forces shall adhere to rules of engagement or rules for the use of force as specified by the Commander of Multinational Forces.
- 6) Members of the Iraqi Armed Forces under the operational control of the Commander of Multinational Forces may use force consistent with rules of engagement or rules for the use of force, as appropriate, applicable to Multinational Forces to execute their assigned missions and taskings.

#### Section 2

Special Authorities for the Iraqi Civil Defense Corps While Under the Operational Control of the Commander of Multinational Forces

- 1) In support of Multinational Force operations to provide security and stability to the people of Iraq, the Iraqi Civil Defense Corps is authorized to perform constabulary and other duties, including the following tasks:
  - a) patrolling urban and rural areas;
  - b) conducting operations to search for and seize illegal weapons and other contraband;
  - c) providing fixed site, check point, area, route and convoy security;
  - d) providing crowd and riot control;
  - e) disaster response services;
  - f) search and rescue services;
  - g) providing support to humanitarian missions and disaster recover operations including transportation services;
  - h) conducting joint patrols with Multinational Forces; and
  - i) participating in other activities designed to build positive relationships between the Iraqi people and Multinational Force authorities including serving as community liaisons.
- 2) The Commander of Multinational Forces may set the standards for manning, training, and equipping Iraqi Civil Defense Corps forces, as well as establishing their mission essential task list and operational employment.
- 3) Members of the Iraqi Civil Defense Corps may, while performing their official duties, apprehend persons:
  - a) whom they witness committing or attempting to commit a criminal offense;
  - b) who have escaped after being lawfully arrested; or
  - c) who otherwise interfere with their lawful activities.
- 4) Persons apprehended by the Iraqi Civil Defense Corps must be turned over to the Iraqi Police Service or Multinational Forces within twelve hours of apprehension or be released.

- 5) Members of the Iraqi Civil Defense Corps may not interrogate individuals, except under the direct supervision of Multinational Forces, or otherwise detain persons except as provided herein. A member of the Iraqi Civil Defense Corps may stop any person for so long as is reasonably necessary in order to question him for the purpose of ascertaining that person's identity and movements or what that person knows concerning any recent explosion or any other recent incident endangering life or concerning any person killed or injured in any such explosion or incident.
- 6) The Iraqi Civil Defense Corps may limit access to certain areas as reasonably necessary to ensure the security of persons or property contained in or passing through such areas.
- 7) Members of the Iraqi Civil Defense Corps may conduct reasonable searches at established checkpoints anywhere within Iraq and at other locations to prevent weapons or other dangerous or prohibited items from being carried into, transported within, or out of, designated areas and may, while otherwise performing their official duties, conduct reasonable searches for weapons or other dangerous or prohibited items
  - a) on persons or vehicles entering or in designated areas;
  - b) on criminal suspects incident to apprehension; or
  - c) in areas or buildings where dangerous or prohibited items, including prohibited weapons, are reasonably believed to exist.
- 8) Members of the Iraqi Civil Defense Corps may:
  - a) Recapture premises, places, means of transport, or other things (the "subject premises"); and
  - b) In connection with any such recapture, do any one or more of the following:
    - i) Free any hostage from the subject premises;
    - ii) If the member finds in the subject premises a person whom the member has reasonable grounds to believe has committed an offense, the member may detain the person for the purpose of placing the person in the custody of the Iraqi Police Service at the earliest practicable time;

- iii) Evacuate persons found in the subject premises to a place of safety;
- iv) Search the subject premises for dangerous things; and
- v) Seize any dangerous thing found in such a search.
- 9) A member of the Iraqi Civil Defense Corps may issue and compel compliance with any one or more of the following directions in relation to a person (whether or not in charge of a means of transport):
  - a) Direct the person not to enter a designated area or direct the person not to enter a designated area unless the person consents to a search of himself, any items in his possession, any means of transport under his control, and anything in or on such means of transport;
  - b) Direct the person to leave a designated area; or
  - c) Direct the person to move from one place in a designated area to another place in the designated area.

#### Section 3

#### Special Authorities for the Iraqi Counter-Terrorism Force While Under the Operational Control of the Commander of Multinational Forces

- In support of Multinational Force operations to provide security and stability to the people of Iraq, the Iraqi Counter-Terrorism Force is authorized to perform counter-terrorism missions, including the following tasks:
  - a) conducting operations to capture or kill terrorists;
  - b) conducting operation against suspected terrorist facilitators;
  - c) engaging in reconnaissance missions and other information-gathering operations as necessary for mission completion, except that members of the Iraqi Counter-Terrorism Force shall not engage in intelligence activities;
  - d) conducting operations to search for and seize illegal weapons and other contraband;
  - e) conducting operations to rescue hostages;
  - f) participating in other counter-terrorist-related activities designed to increase security and stability in Iraq.

- 2) Members of the Iraqi Counter-Terrorism Force may, while performing their official duties, detain persons:
  - a) whom they witness committing or attempting to commit a criminal offense;
  - b) whom they reasonably suspect of being terrorists or terrorist facilitators; or
  - c) who otherwise interfere with their lawful activities.
- Persons detained by the Iraqi Counter-Terrorism Force must be turned over to the Iraqi Police Service or Multinational Forces within twelve hours of detention or be released.
- 4) Members of the Iraqi Counter-Terrorism Force may not interrogate detainees, except under the direct supervision of Multinational Forces.

### Section 4 Immunities

- 1) A Member of the Iraqi Armed Forces under the operational control of the Commander of Multinational Forces who is conducting activities authorized under this Order, and acting within the scope of his assigned mission or tasking, and operating consistent with applicable Multinational Force rules of engagement or rules for the use of force, as appropriate, is immune from Iraqi criminal, civil, and administrative jurisdiction and from any form of arrest or detention.
- 2) The Administrator shall have the exclusive authority to determine when a particular act qualifies for the immunities set forth in Part IV, Section 4.1 above, and such determination is binding on all governmental, judicial and administrative entities within Iraq.

## Section 5 Termination of Authority

The command relationships, authorities, and immunities set forth in this Part IV shall expire and cease to have effect upon termination of operations by the Multinational Force operating in Iraq pursuant to the provisions of United Nations Security Council Resolution 1511, and any subsequent relevant resolutions.

#### PART V

#### FINAL PROVISIONS

#### Section 1 Existing Law

- 1) The Iraqi Military Law Code Number 13 of 1940, the Iraqi Military Procedures Code Number 44 of 1941, the Code of Legal Notification of Military Personnel Number 106 of 1960, Punishment of Military Deserters Law Number 28 of 1972, and the Penal Code of the Popular Army Number 32 of 1984 are hereby suspended.
- Any laws or regulations inconsistent with the provisions of this Order are hereby suspended to the extent they are inconsistent with the provisions of this Order.

# Section 2 Effect on Existing CPA Orders, Regulations, and Memoranda

- CPA Order Number 22, Creation of a New Iraqi Army (CPA/ORD/7 August 2003/22), is hereby superseded. Any references in other CPA Orders, Regulations, or Memoranda referring to the New Iraqi Army or the Iraqi Armed Forces as established under CPA Order Number 22 shall be deemed to refer to the Iraqi Armed Forces as existing and operating pursuant to and in accordance with this Order.
- 2) CPA Order Number 28, Establishment of the Iraqi Civil Defense Corps, as amended (CPA/ORD/3 September 2003/28), is hereby superseded. Any references in other CPA Orders, Regulations, or Memoranda referring to the Iraqi Civil Defense Corps as established under CPA Order Number 28 shall be deemed to refer to the Iraqi Civil Defense Corps as existing and operating pursuant to and in accordance with this Order.
- 3) CPA Order Number XX, Amendments to CPA Orders Number 22 and 28 (CPA/ORD/XX April 2004/XX), is hereby rescinded.
- 4) CPA Order Number 23, Creation of a Code of Military Discipline for the New Iraqi Army (CPA/ORD/7 August 2003/23), Section 1, definition of "Commander of the New Iraqi Army," is hereby amended to read in its entirety as follows:

"Chief of Staff of the Iraqi Armed Forces" means the Iraqi officer appointed by the Minister of Defence in accordance with CPA Order Number 67, Section 4, Article 6(c), to exercise operational command and control of the Iraqi Armed Forces,"

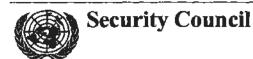
### Section 3 Administrative Instructions

The Administrator and the Minister of Defence may issue Administrative Instructions, not inconsistent with this Order, prescribing all matters that are necessary or convenient for giving effect to or carrying out the purposes of this Order.

# Section 4 Entry into Force

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator Coalition Provisional Authority



Distr.: General
16 October 2003

#### Resolution 1511 (2003)

### Adopted by the Security Council at its 4844th meeting, on 16 October 2003

The Security Council,

Reaffirming its previous resolutions on Iraq, including resolution 1483 (2003) of 22 May 2003 and 1500 (2003) of 14 August 2003, and on threats to peace and security caused by terrorist acts, including resolution 1373 (2001) of 28 September 2001, and other relevant resolutions,

Underscoring that the sovereignty of Iraq resides in the State of Iraq, reaffirming the right of the Iraqi people freely to determine their own political future and control their own natural resources, reiterating its resolve that the day when Iraqis govern themselves must come quickly, and recognizing the importance of international support, particularly that of countries in the region, Iraq's neighbours, and regional organizations, in taking forward this process expeditiously,

Recognizing that international support for restoration of conditions of stability and security is essential to the well-being of the people of Iraq as well as to the ability of all concerned to carry out their work on behalf of the people of Iraq, and welcoming Member State contributions in this regard under resolution 1483 (2003),

Welcoming the decision of the Governing Council of Iraq to form a preparatory constitutional committee to prepare for a constitutional conference that will draft a constitution to embody the aspirations of the Iraqi people, and urging it to complete this process quickly,

Affirming that the terrorist bombings of the Embassy of Jordan on 7 August 2003, of the United Nations headquarters in Baghdad on 19 August 2003, of the Imam Ali Mosque in Najaf on 29 August 2003, and of the Embassy of Turkey on 14 October 2003, and the murder of a Spanish diplomat on 9 October 2003 are attacks on the people of Iraq, the United Nations, and the international community, and deploring the assassination of Dr. Akila al-Hashimi, who died on 25 September 2003, as an attack directed against the future of Iraq,

In that context, recalling and reaffirming the statement of its President of 20 August 2003 (S/PRST/2003/13) and resolution 1502 (2003) of 26 August 2003,

Determining that the situation in Iraq, although improved, continues to constitute a threat to international peace and security.

03-56391 (E)



Acting under Chapter VII of the Charter of the United Nations,

- 1. Reaffirms the sovereignty and territorial integrity of Iraq, and underscores, in that context, the temporary nature of the exercise by the Coalition Provisional Authority (Authority) of the specific responsibilities, authorities, and obligations under applicable international law recognized and set forth in resolution 1483 (2003), which will cease when an internationally recognized, representative government established by the people of Iraq is sworn in and assumes the responsibilities of the Authority, inter alia through steps envisaged in paragraphs 4 through 7 and 10 below;
- 2. Welcomes the positive response of the international community, in fora such as the Arab League, the Organization of the Islamic Conference, the United Nations General Assembly, and the United Nations Educational, Scientific and Cultural Organization, to the establishment of the broadly representative Governing Council as an important step towards an internationally recognized, representative government;
- 3. Supports the Governing Council's efforts to mobilize the people of Iraq, including by the appointment of a cabinet of ministers and a preparatory constitutional committee to lead a process in which the Iraqi people will progressively take control of their own affairs;
- 4. Determines that the Governing Council and its ministers are the principal bodies of the Iraqi interim administration, which, without prejudice to its further evolution, embodies the sovereignty of the State of Iraq during the transitional period until an internationally recognized, representative government is established and assumes the responsibilities of the Authority;
- 5. Affirms that the administration of Iraq will be progressively undertaken by the evolving structures of the Iraqi interim administration;
- 6. Calls upon the Authority, in this context, to return governing responsibilities and authorities to the people of Iraq as soon as practicable and requests the Authority, in cooperation as appropriate with the Governing Council and the Secretary-General, to report to the Council on the progress being made;
- 7. Invites the Governing Council to provide to the Security Council, for its review, no later than 15 December 2003, in cooperation with the Authority and, as circumstances permit, the Special Representative of the Secretary-General, a timetable and a programme for the drafting of a new constitution for Iraq and for the holding of democratic elections under that constitution;
- 8. Resolves that the United Nations, acting through the Secretary-General, his Special Representative, and the United Nations Assistance Mission in Iraq, should strengthen its vital role in Iraq, including by providing humanitarian relief, promoting the economic reconstruction of and conditions for sustainable development in Iraq, and advancing efforts to restore and establish national and local institutions for representative government;
- 9. Requests that, as circumstances permit, the Secretary-General pursue the course of action outlined in paragraphs 98 and 99 of the report of the Secretary-General of 17 July 2003 (S/2003/715);

- 10. Takes note of the intention of the Governing Council to hold a constitutional conference and, recognizing that the convening of the conference will be a milestone in the movement to the full exercise of sovereignty, calls for its preparation through national dialogue and consensus-building as soon as practicable and requests the Special Representative of the Secretary-General, at the time of the convening of the conference or, as circumstances permit, to lend the unique expertise of the United Nations to the Iraqi people in this process of political transition, including the establishment of electoral processes;
- 11. Requests the Secretary-General to ensure that the resources of the United Nations and associated organizations are available, if requested by the Iraqi Governing Council and, as circumstances permit, to assist in furtherance of the programme provided by the Governing Council in paragraph 7 above, and encourages other organizations with expertise in this area to support the Iraqi Governing Council, if requested;
- 12. Requests the Secretary-General to report to the Security Council on his responsibilities under this resolution and the development and implementation of a timetable and programme under paragraph 7 above;
- 13. Determines that the provision of security and stability is essential to the successful completion of the political process as outlined in paragraph 7 above and to the ability of the United Nations to contribute effectively to that process and the implementation of resolution 1483 (2003), and authorizes a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq, including for the purpose of ensuring necessary conditions for the implementation of the timetable and programme as well as to contribute to the security of the United Nations Assistance Mission for Iraq, the Governing Council of Iraq and other institutions of the Iraqi interim administration, and key humanitarian and economic infrastructure;
- 14. Urges Member States to contribute assistance under this United Nations mandate, including military forces, to the multinational force referred to in paragraph 13 above;
- 15. Decides that the Council shall review the requirements and mission of the multinational force referred to in paragraph 13 above not later than one year from the date of this resolution, and that in any case the mandate of the force shall expire upon the completion of the political process as described in paragraphs 4 through 7 and 10 above, and expresses readiness to consider on that occasion any future need for the continuation of the multinational force, taking into account the views of an internationally recognized, representative government of Iraq;
- 16. Emphasizes the importance of establishing effective Iraqi police and security forces in maintaining law, order, and security and combating terrorism consistent with paragraph 4 of resolution 1483 (2003), and calls upon Member States and international and regional organizations to contribute to the training and equipping of Iraqi police and security forces;
- 17. Expresses deep sympathy and condolences for the personal losses suffered by the Iraqi people and by the United Nations and the families of those United Nations personnel and other innocent victims who were killed or injured in these tragic attacks;

- 18. Unequivocally condemns the terrorist bombings of the Embassy of Jordan on 7 August 2003, of the United Nations headquarters in Baghdad on 19 August 2003, and of the Imam Ali Mosque in Najaf on 29 August 2003, and of the Embassy of Turkey on 14 October 2003, the murder of a Spanish diplomat on 9 October 2003, and the assassination of Dr. Akila al-Hashimi, who died on 25 September 2003, and emphasizes that those responsible must be brought to justice;
- 19. Calls upon Member States to prevent the transit of terrorists to Iraq, arms for terrorists, and financing that would support terrorists, and emphasizes the importance of strengthening the cooperation of the countries of the region, particularly neighbours of Iraq, in this regard;
- 20. Appeals to Member States and the international financial institutions to strengthen their efforts to assist the people of Iraq in the reconstruction and development of their economy, and urges those institutions to take immediate steps to provide their full range of loans and other financial assistance to Iraq, working with the Governing Council and appropriate Iraqi ministries;
- 21. Urges Member States and international and regional organizations to support the Iraq reconstruction effort initiated at the 24 June 2003 United Nations Technical Consultations, including through substantial pledges at the 23-24 October 2003 International Donors Conference in Madrid;
- 22. Calls upon Member States and concerned organizations to help meet the needs of the Iraqi people by providing resources necessary for the rehabilitation and reconstruction of Iraq's economic infrastructure;
- 23. Emphasizes that the International Advisory and Monitoring Board (IAMB) referred to in paragraph 12 of resolution 1483 (2003) should be established as a priority, and reiterates that the Development Fund for Iraq shall be used in a transparent manner as set out in paragraph 14 of resolution 1483 (2003);
- 24. Reminds all Member States of their obligations under paragraphs 19 and 23 of resolution 1483 (2003) in particular the obligation to immediately cause the transfer of funds, other financial assets and economic resources to the Development Fund for Iraq for the benefit of the Iraqi people;
- 25. Requests that the United States, on behalf of the multinational force as outlined in paragraph 13 above, report to the Security Council on the efforts and progress of this force as appropriate and not less than every six months;
  - 26. Decides to remain seized of the matter.

### Office of National Security Affairs

January 14, 2004

#### Today

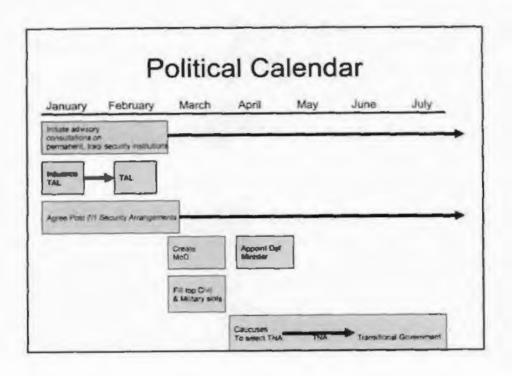
- Occupation -CPA Governs -US-fed MNF
- Severe internal insecurity
- Limited iraqle capability
- Growing Iraqi

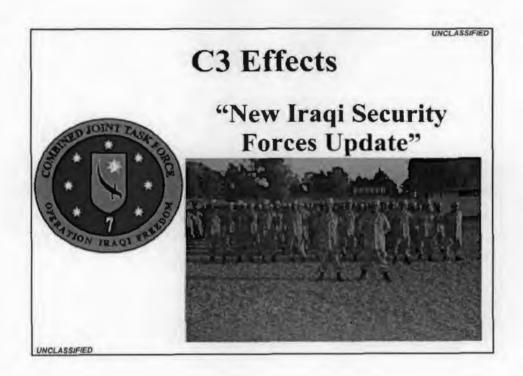
#### 7/1/04

- Sovereign Iraq
- Severe Internal insecurity
- Limited Iraqi capability
- New partnership with US-UK-Iraqi core
- · US-led MNF
- Iraqi forces committed
- · Independent Iraqi

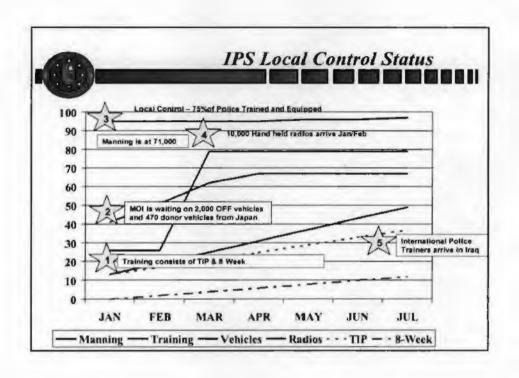
#### **End State**

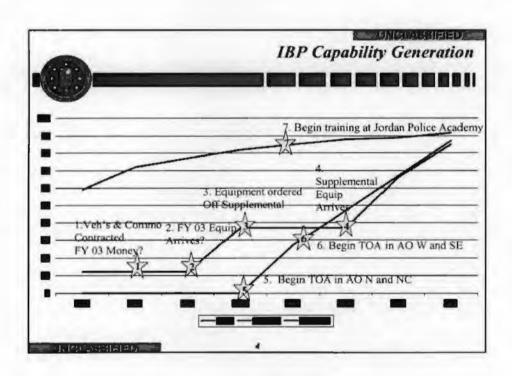
- Sovereign Iraq
- Internal security
- Partnership and MNF passive or transformed to new relationship
- · Mol-MoD split
- Iraq as positive element in region

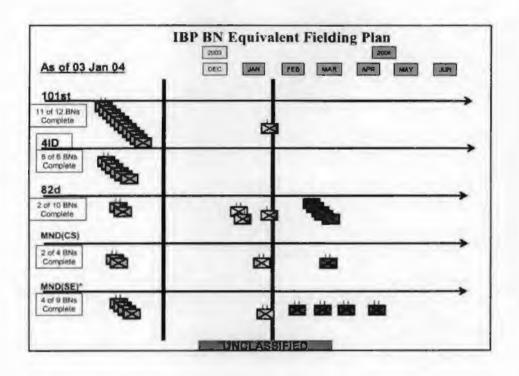


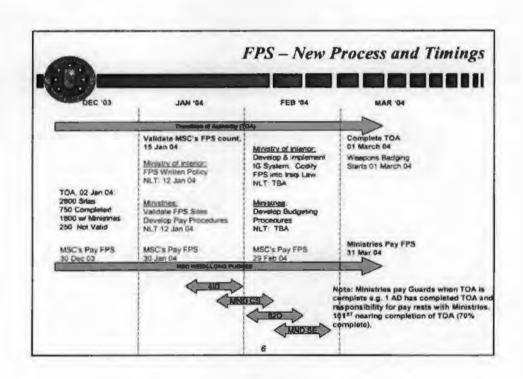


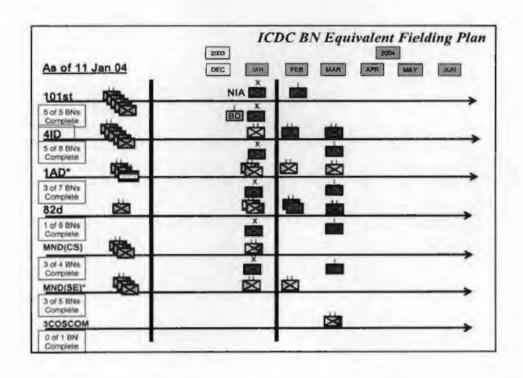
	The same	<b>100</b>		<b>41</b> 27	
	Required	Hired/ W/Training	In - Training	Shortfall	Previous Shortfall
Iraqi Border Police	8,490	5,541	638	2,311	2,848
Graph Prince Service	75,000	67,205	1,590	0,205	2,758
S Week Linguis	-	146	1,590		
TIP Program	-	7,502	1,704		-
Iraql Civil Defense Corps	40,000	17,147	3,811	19,042	20,283
36th ICDC Bn	(550)	373	-		
Counter Terrorist Force	200		76		1
*Facility Protection Service (Ministry+MSCs)	50,000 (96,633)*	97,215**	0	+97/215	+47,151
New Iraqi Army (NIA)	35,000	1,123	2,047	91.830	33,071
Note: Figures in brackets not	225,900			19,510	19,146

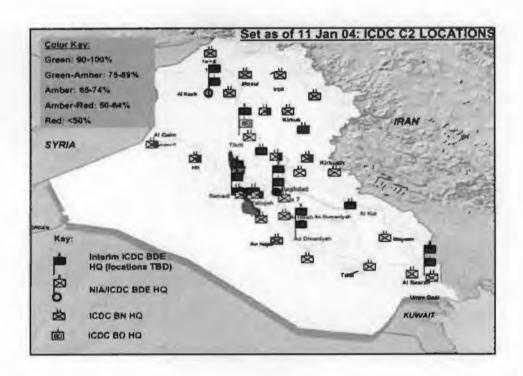


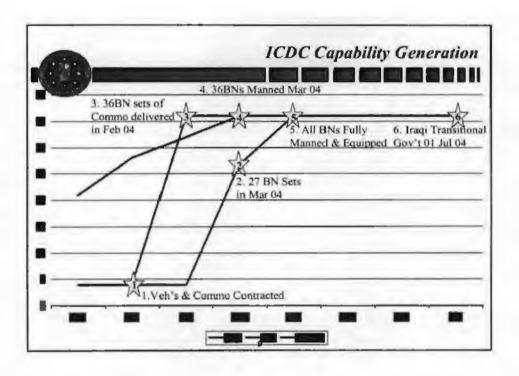


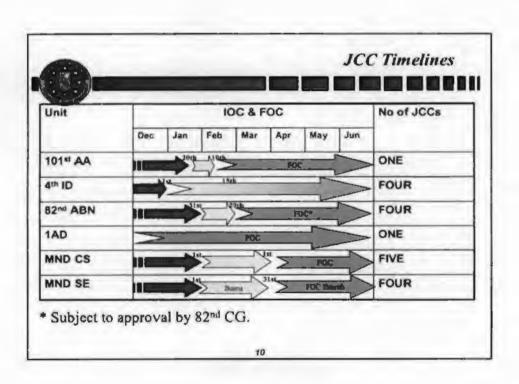












### Iraq Security Forces Assessment Team

January 14 2004

Policy Framework

1

### **Dimensions**

- Macro-Structure
- Institutions
- Forces
- Roles
- Capabilities
- People
- Laws
- Command and Control (C2)

2

Structure	CPA/CJTF-7 supervision
Institutions	Mol, MoJ, MoFA developing; MoD being designed.
Forces	IPS, IAF, ICDC, INIS, FPS, DBE being built.
Roles	IAF battalions in trng; ICDC augmented to CF; IPS basic law enforcement; FPS facility protection; DBE border
Capabilities	Patchy law enforcement; Itd facility protection.  IAF small but deep; ICDC large but thin; DBE Itd
People	Ministers in Mol, MoJ, MoFA; Ministers/CPA appoint officials/officers in consultation. MoD underway
Laws	Operating under CPA Orders & selected previous legislation
C2	CF in command except some IPS LE; panial traqi control

ToA July 2004		
Structure	TNA and Executive ministries control security sector. Iraq Multinational Security Partnership.	
Institutions	NSC & NCA structure. Ltd MoD, MoI, MoJ, MoFA mgmt/policy capacity. IMSP Contact Group?.	
Forces	IAF in progress; ICDC at FOC; IPS local police & special units; FPS, D8E stood up.	
Roles	ICDC (mobilized) reserve component of IAF. IPS national law enforcement; some high end roles.	
Capabilities	Partial IPS municipal security capability. Ltd IAF internal security capability, esp ICDC.	
People	TNA appointed ministers. Iraqi approved Head INIS, CHOD IAF Commander, Deputies, IPS chiefs.	
Laws	Transitional Administrative Law (incl IMSF).	
C2	IAF part of IMSF (US command), LE under traqis.	

Structure	Sovereign state with permanent Constitution.  Democratically elected Parliament and Executive.
Institutions	NSC primary security policy decision maker, Ministries fully functioning.
Forces	Dependent on decisions/resources of Iraqi Government. (IAF 27 Bns +ICDC 36 Bns +IPS 71k capable during 2005)
Roles	IAF to defend from external aggression; IPS LE and high end internal security; Domestic use of IAF restricted & rare
Capabilities	IAF limited capability for external defense. IPS capable of handling majority of internal security.
People	Elected political leadership. Iraqi appointments system.
Laws	Legislation passed by Parliament. International treaties and security agreements.
C2	Iraq supported by enduring allied security arrangements.

## **Assessing Progress**

- Fortnightly reviews of security sector development against Strategic Plan
- · Monitoring of state of threat vector
- Advisory consultations with National Security Committee of IGC and a small core group

6

# COALITION MILITARY ASSISTANCE TRAINING TEAM





### Scope

- Original Mission
- Acceleration
- Current Position
- Transition Plan
- 30 Sep and Beyond



### Overall Political Vision

"The ultimate goal is a unified and stable, democratic Iraq that: provides representative government for the Iraqi people; is underpinned by new and protected freedoms for all Iraqis and a growing market economy; and is able to defend itself, but no longer poses a threat to the region."



### Vision for Defense

"Develop New Iraqi Armed Forces which are under political control, accountable to the nation and defensive in capability and intent."

### **CMATT Mission**

"To man, train and equip nine Infantry Bdes with limited capability by Sep 04, a small coastal defense force, and the beginning of an aviation element in order to establish the foundation of the Iraqi Armed Forces run by Iraqis."



### **Endstate**

### IAF comprising

- Joint Force Headquarters
- Land Component (27 Bns/9 Bdes/3 Regional Divs)
- Maritime Component
  - · Naval Squadron
  - · Coastal Defense Regt
- Air Component
  - · Sqn of UH-1
  - · Sqn (-) of C-130
- SOF Component
  - ICTF (200)
- National Reserve Component
  - Former ICDC



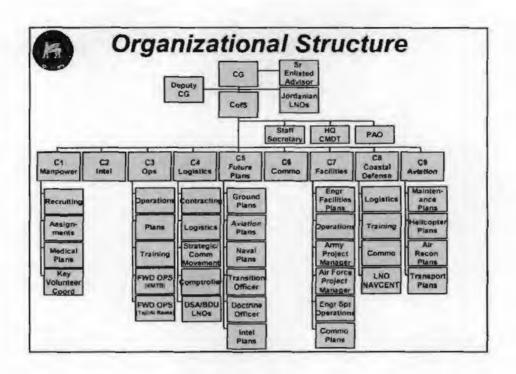
### Tasks

Man: screen, recruit (ethnic balance), establish structure, pay conditions of service, selection of officer corps – moral component.

Train: doctrine, schools, training base organized, professional mil education, general and specialist training – all ranks, facilities, training aids, programs of instruction.

Equip: logistics, maintenance, storage, supply, infrastructure, training equipment, gamisons.

Transition: to an Iraq MoD and Joint Mil HQ Information operation to manage perceptions





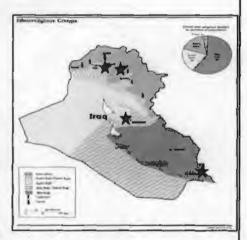
### Some Themes

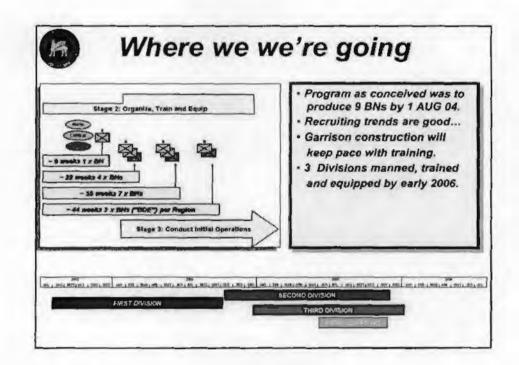
- Moral Component –values, ethos, attitude and culture.
- Time clear milestone=time driven schedule, but also need qualitative assessment – balance required.
- Iraqi Ownership what we do now is foundation for future success.
- Certification Hold on to the product to ensure success.

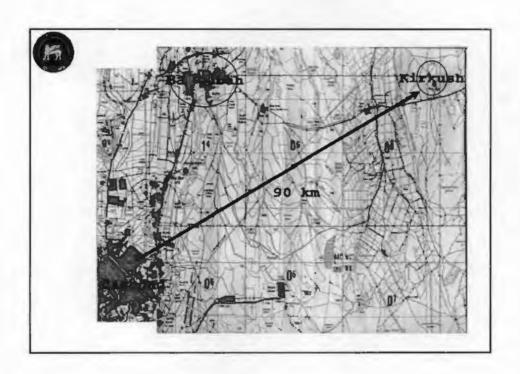


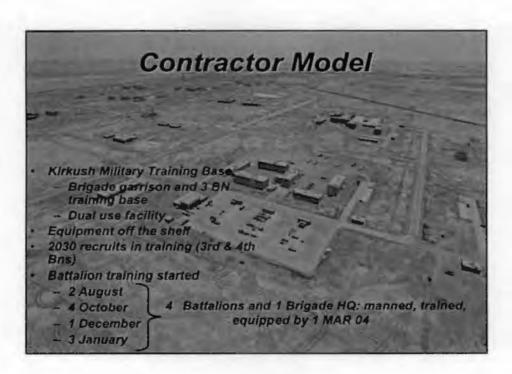
### In the beginning - 9 Bn

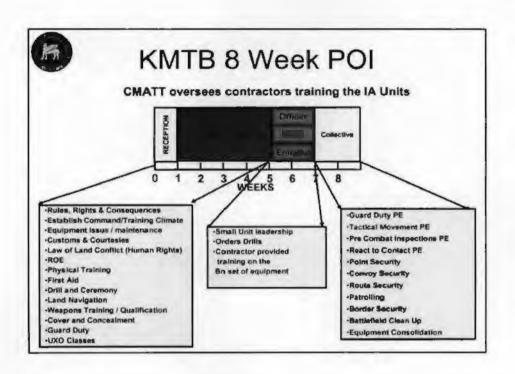
- · Establish recruiting
  - 3 stations; Baghdad, Basrah, Mosul
  - 3262 recruited to date
- · Acquired materiel
  - Tables, chairs, beds
  - Uniforms, blankets, boots
    - 1000s of Iraqis back to work
    - 12 Manufacturers engaged
- · Infrastructure
  - Three Brigade garrison sets currently under refurbishment
    - Average of 450 Iraqis employed per contract
    - All contract funds to Iraqi firms
- Awarded training contract and established training site

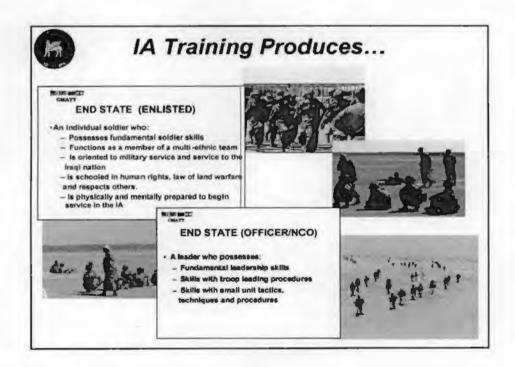














### What we Realized

- · Situation has changed security
- · Not the Afghan model
  - 400,000 trained military personnel pool
  - Existing <but corrupted> military tradition

We Can Go Faster

### Establish the Cadre First

Many countries train
 Soldiers

• Few countries train Leaders very well

· Focus on the leadership

Pre www ii us Army Modifization				
Year	Total	Officers	Enlisted Men	
1940	266,065	16,624	249,441	
1941	1,454,634	93,172	1,361,462	



### **Modified Objective**

Change plan to man, train, equip...

- 9 Army Brigades, C2
- Nucleus of an Army Air Corps
- · Nucleus of a Maritime element

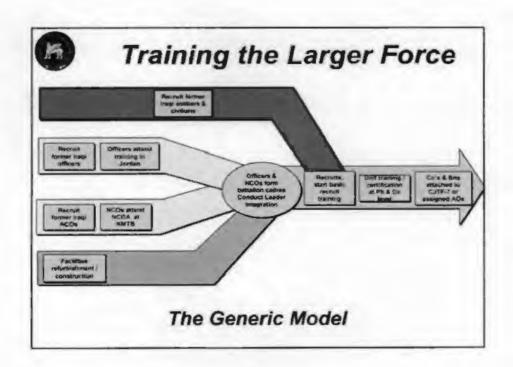
Vice 9 battalions under original plan

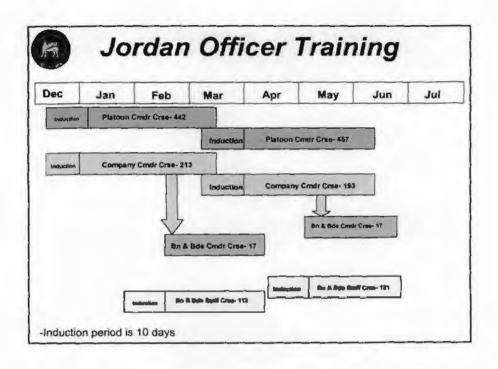
...BY CREATING THE LEADERSHIP

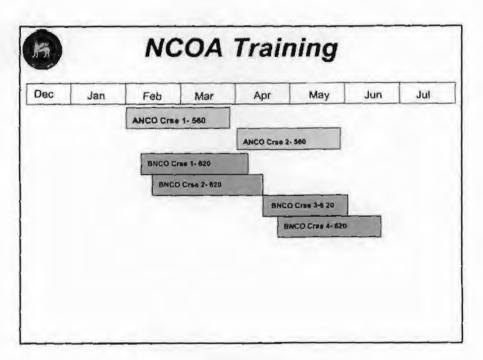


### Leader Training

- Make up front investment in leader development and professionalism
  - Use former Iraqi officers and NCOs
  - Three main ideas
    - · Leadership principles for a volunteer force
    - · Military role in a democratic society
    - · How to plan, execute performance oriented training
  - Jordanian Army trains most officers needed
  - Coalition trainers train NCOs needed









### **BN METL**

- · Conduct tactical road march
- Attack
- Defend
- · Conduct movement to contact
- · Conduct cordon and search



### Integration Training

- · Duration is 4 weeks.
- · Follows light leaders course model.
- Emphasis on team building, development of SOPs, and plan/prep/conduct training.



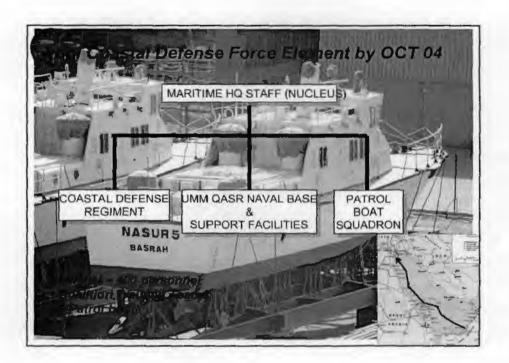
### BN/BDE/DIV Advisor Support Teams

- CMATT has requested teams to support each battalion, brigade, and division of the IA
- · The objectives for these teams include:
  - supporting leader integration training
  - training management
  - oversight of both individual and collective training
  - providing liaison support (for gaining Coalition HQ)



### Officer PME

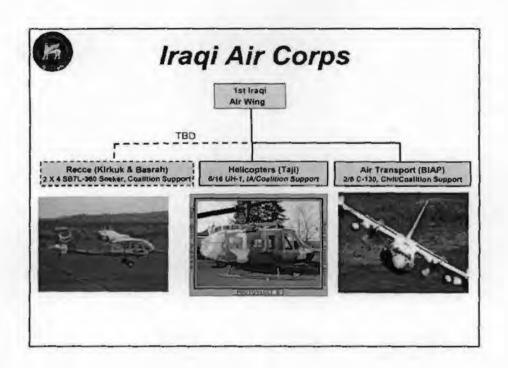
- Jordan
  - -2 IA LTCs attending CGSC
  - -2 IA COLs attending NDU
- · Australia
  - 2 IA MAJs attending CGSC
  - 1 IA COL attending NDU
- · Italy
  - -3 IA officers pending assignment to PME schools.
- · USA
  - -1 IA officer pending attendance NESA





### **ICDF Training**

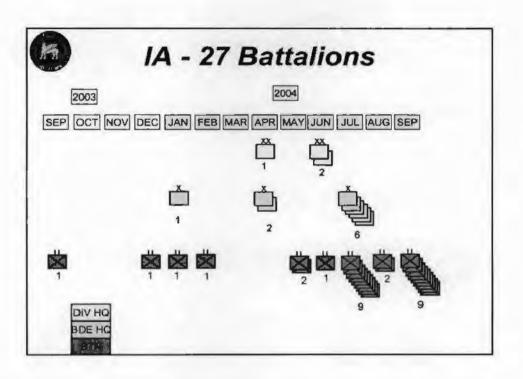
- Basic Training with Army Recruits under current or modified contract with Vinell Corp assisted by additional Royal Marine NCOs for ICDR Company
- Specialist Training at Umm Qasr by Coalition Training Teams (CTT)
- Patrol Boat / Squadron CO Training abroad
- Senior Officer Training (Lt Cdr and Above) requires specific course to be developed
- ICDF Commander to Undergo Training with Army Equivalents

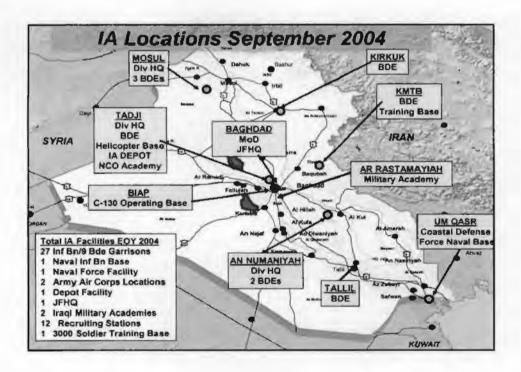


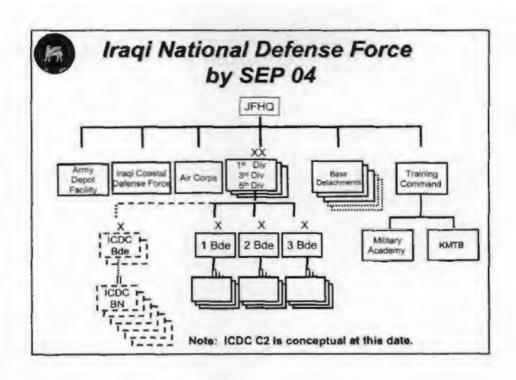


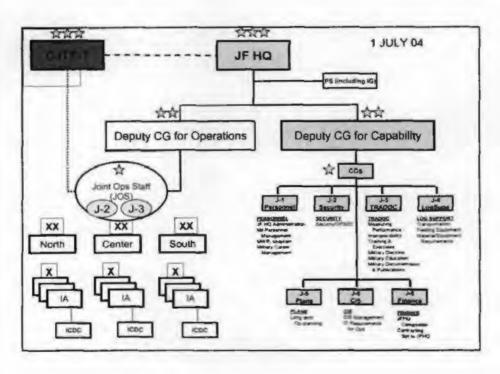
### **Aviation Training**

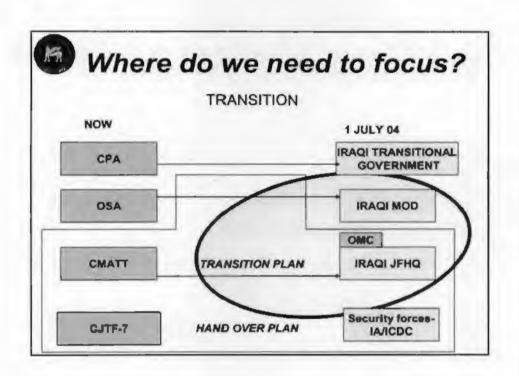
- · Start small: UH-1B Helos; C-130B Transports
- Principle: A small core of good people, trained in Jordan to train the rest:
  - 6 Senior Leaders (full Colonels)
  - Experienced Pilots, Rear Crew and Maintenance Staff
  - Aviation support staff (Base Ops etc.)
  - Specialist aircrew and engineering training in Jordan
- · Support Staff coming from IA and train in Iraq
- All selected by Interview at CPA







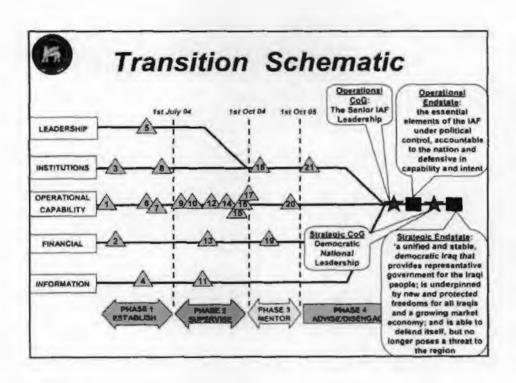


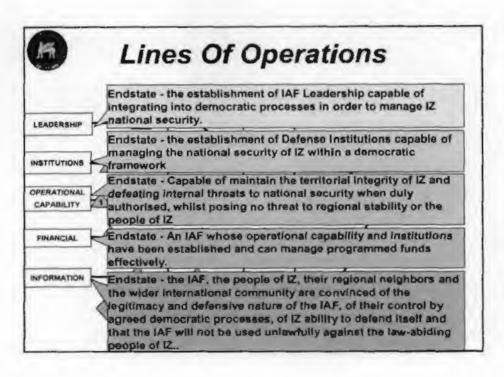


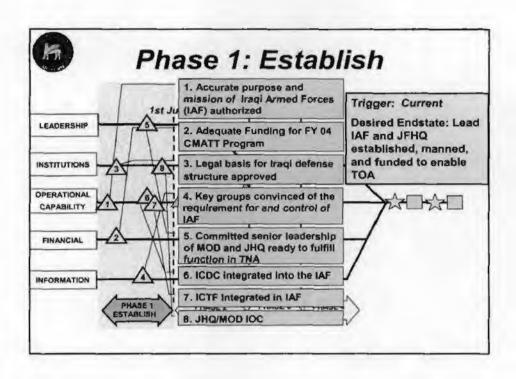


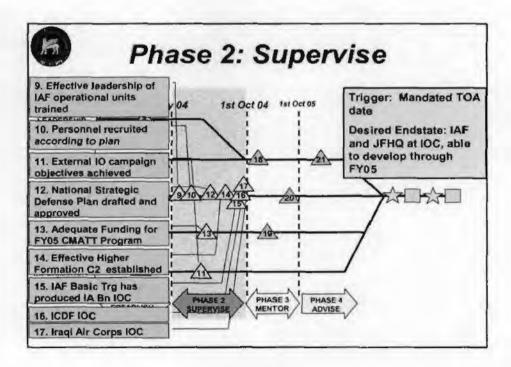
### Beyond Sep 04

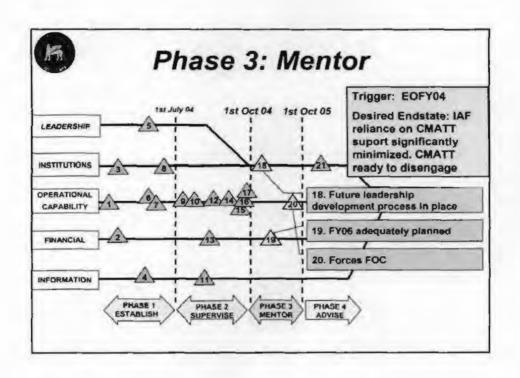
- · Role of OMC
- · Continued focus on leadership
- Recommendation will be to consolidate gains.
- · Addition of combined arms
- Heavy brigades

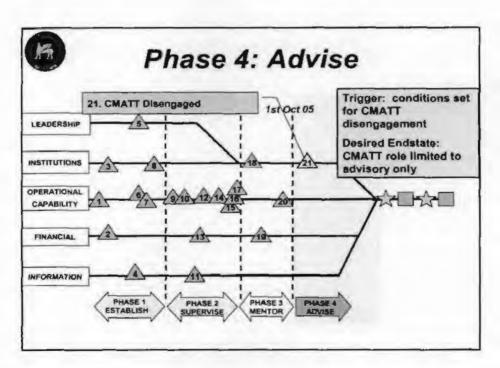














### Main Effort

- Overall
  - DP 5: Committed senior Leadership of MOD and JHQ ready to fulfill function in TNA
- Phase 1
  - DP 5: Committed senior Leadership of MQD and JHQ ready to fulfill function in TNA
- Phase 2
  - DP 13: Adequate FY05 Funding for CMATT Programme
- · Phase 3
  - DP 18: Future Leadership Development Process in Place
- · Phase 4
  - DP 21: CMATT Disengaged



### **End States**

- Operational a professional, ethnically diverse, Iraqi Armed Forces, which are under democratic, political control, accountable to the nation and defensive in capability and intent.
- Strategic a unified and stable, democratic Iraq that: provides representative government for the Iraqi people; is underpinned by new and protected freedoms for all Iraqis and a growing market economy; and is able to defend itself, but no longer poses a threat to the region.



# QUESTIONS?





### MINISTRY OF DEFENCE

- No MOD exists today. Former MOD abolished in May 2003.
- Must be established prior to July 1 to:
  - -- provide civilian control of the military;
  - perform key role in national command authority; and
  - provide support and sustainment to the Iraqi Armed Forces.

### MINISTRY OF DEFENCE

### Program to Establish the MOD

- · Recruit qualified people
- · Train senior- and mid-level civil servants
- Select Minister of Defence
- Conduct a budget analysis; prepare a budget
- · Draft legal authorities and regulations
- · Renovate buildings
- Implement information campaign

### MINISTRY OF DEFENCE Training Strategy

- · Three-phased program
  - Principles, values, democratic institutions, civilian control, counterpart visits
  - Leadership and supervisory skills, ethics
  - Specialized courses in functional areas
- Training in U.S. (NESA Center, USIP) and Europe
- · Conduct training in Baghdad
- Mentor/advisors program

### Budget

US Supplemental - \$28M

16.5 Facilities

3.0 Equipment

2.5 Operations & Maintenance

6.0 Purchased International Training

Iraq Budget

\$1.5M for MoD Salaries

Requirements Review Board (Pending)

\$1.7M for interim construction work on Ministry buildings

### MINISTRY OF DEFENCE Key Dates

January-February Recruit and hire "critical mass" of

people

February 23 Training in Washington, D.C.

March 1 Establish new Ministry of Defence

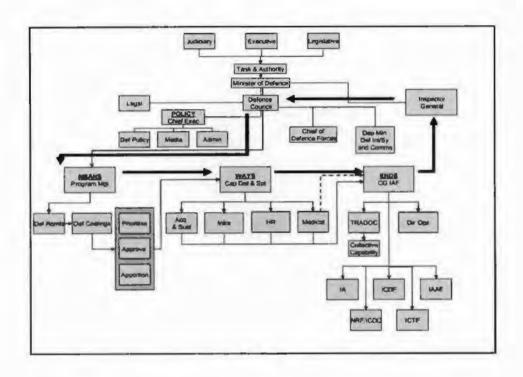
March Select senior civil servants and military

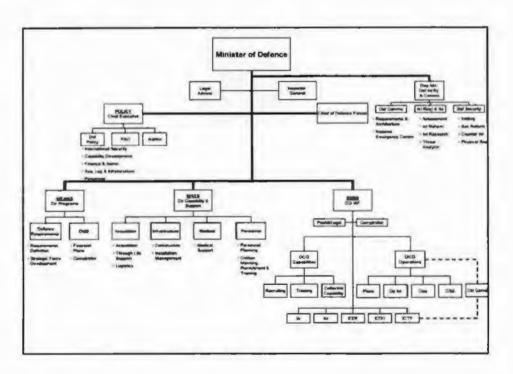
officers

April 1 Appoint Minister of Defence

April-Dec Training continues
Mid-May Open MOD Building

July 1 Transition to sovereign Iraq











FOR.

## COALITION PROVISIONAL AUTHORITY BAGHDAD

### INFO MEMO

January 13, 2004

1 OK.	THE ADMINISTRATOR
FROM:	Senior Advisor for National Security & Defense
SUBJECT:	Introduction to DoD Security Assessment Team
know Karl a He will be st	kenberry will want an early substantive meeting with you. A number of us here and consider him to be one of the most thoughtful, able and erudite officers around. Traight, thorough, and balanced. He may also have good ideas not thought of by us. an, Karl had the equivalent of job.
Karl and his missions, pe by our Secur CMATT, my members of	meeting with LTG Sanchez, CJTF7 and I will chair a full-morning session to orient team and to present an overview of Iraqi forces, institutions, capabilities, roles and cople, and command and control – based on the common CPA-CJTF7 view produced by Steering Group. The team will then proceed with in-depth briefings with y shop, CJTF7, MoI and other organizations; each meeting will be attended by all key organizations. All briefings will be based on our common framework and team's schedule is attached.)
	1 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1

I suggest that you make the following points:

THE ADMINISTRATOR

- We have made progress in developing a single coherent view of emerging Iraqi security forces and institutions. But we welcome a critique of that view.
- As for Iraqi capabilities, it is essential to look beyond numbers in order to get an accurate picture of where they are and where they can be, realistically, by July 1:
  - o Numbers mask limited training, for both ICDC and IPS.
  - o The IAF (not "NIA") is being well trained but is building gradually
  - State institutions that provide for competent civilian control range from green (MoI) to green-field (MoD). Building them is a high CPA priority.
- For these reasons, there will be a wide gap as of July I between the security challenges
  and the security capacity of Iraq. The Iraqis do not appreciate this. We have to educate
  them, even if it means calling attention to the empty part of the glass, not just the full
  part.

Several big issues:

- O Do we continue to shift resources from IAF to those forces that come on stream faster? This is a legitimate question, as long as we recognize the trade-off. If we have a domestically secure Iraq but an inadequate army in a year or two, we will have a different problem on our hands (e.g., Iran).
- Where should the ICDC end up? We favor morphing it into reserves of the IAF. Iraqis may feel differently because of their aversion to use of the MoD and army for domestic operations.
- What to do about the militia? They must be eliminated, and we have to establish this principle and get a process going. We have a strategy that is being looked at back in Washington.
- What post-7/1 security arrangements do we want? We are working closely with DoD, which in turn is working interagency and with UK.
- Guidance to CPA team is to go the extra mile in providing information and judgments to the DoD team. We will be open with our views and open to the team's views.
- Critical security institution and policy issues concerning the Iraqis should be discussed with Gompert. He has begun advisory consultations with GC.
- Some issues best to avoid in direct contact with Iraqis: post-7/1; militias; endstate of the ICDC; filling top Iraqi national-security jobs; intelligence.

You may also want to impress on Karl how much we will value a detailed outbrief, giving us the chance to react but also to internalize new ideas.

ATTACHMENT: Outline Program for Security Assessment Team

COORDINATION: CJTF7 (MG Gallinett), CMATT (MG Eaton), MoI (Mr. Casteel), Mr. Amb Jones, LTG (R) Kellogg

### OUTLINE PROGRAMME FOR SECURITY ASSESSMENT TEAM 14-15 JAN SUBJECT TO MG EIKENBERRY CONFIRMATION

### 14 Jan

0900 - 1000 - Office Calls for MG Eikenberry

1000 - 1230 - Theatre strategic context - a joint approach (CPA/CJTF 7):

- 1000 1005 Admin brief (C5)
- 1005 1025 Opening remarks and mandate (David Gompert/MG Eikenberry)
- 1025 1100 Operational environment orientation, current situation and indicators out to TOA. (CJTF 7 C2)
- 1100 1110 Break
- 1110 1145 Operations and security apparatus (CJTF 7 C3):
  - o Operational brief
  - o Rotation
  - o Emerging C2 arrangements
  - o Multi-national dimension
  - o Iraqi Security Forces current situation
- 1145 1250 'Strategic, political, legal setting: now, 7/1 and end state.'
   (DG,

1250 - 1330 - Lunch

1330 - 1500 - Iraqi Armed Forces (CMATT)

1500 - 1515 - Break

1515 - 1715 - Development of ministries, notably MOD

1715 - 1800 - Dinner

1800-1900 - National Security policy-making, National Command Authority, and militias (DG)

### 15 Jan

0700 - 0745 - Tactical Update (JOC)

0745 - 0830 - Breakfast

0830 - 1230 - Iraqi Security Forces (MOI/CJTF 7 C3/JSOTF-AP):

o IPS

- o IBP
- o FPS
- o ICDC
- o ICTF

1230 - 1330 - Lunch

1330 - prep and insertion into div areas

16 - 20 Jan

Security Assessment Team visit MSCs

21 Jan

Extraction from Div areas

22 - 23 Jan

Team internal work/outbriefs

24 Jan

Depart

### Running Summary of Security Institutions Steering Committee Views

### Key Tenets of Iraqi National Security and Defense

- Civilian Control
- Professionalism
- · Collegial control of power
- Jointness
- National unity
- Broadly representative
- Integrity
- Proper treatment of people by and in all Iraqi security forces
- Stewardship of public resources
- Transparency
- Outwardness (region and beyond)
- Cost-effectiveness
- Defensive
- Effective

### National Security Macro Structure\*

- Assume:
  - o Cabinet government, with head of government (PM) as CINC
  - o Singular or multi-headed chief of state is not CINC
  - o A national assembly with political weight
- · National command authority:
  - o External defense branch: CINC -- MoD -- IAF commander (not CHODS)
  - o Internal security branch: CINC -- Mol -- police or other commander
- · National security policy-making mechanism:
  - o Cabinet national security committee chaired by PM
  - o Core members: MoD, MoI, MoJ, MoFA
  - o CHODS and national intelligence service present as advisors
  - Strong apolitical national security advisor and staff to advise cabinet national security committee and provide inter-ministerial coordination
- · National assembly to have a say in:
  - o Use of IAF for domestic purposes
  - o Use of IAF in international peacekeeping and humanitarian assistance
  - o Appropriation of funds and passage of laws governing MoD and IAF
- · Key processes:
  - o Inter-ministerial policy coordination and decision-making
  - o Crisis management and decisions on the use of force
  - o Setting, budgeting, and resourcing capabilities requirements

### Key Rules: Laws, Regulations, Authorities and Controls

<sup>\*</sup> All structures, forces and processes outlined in this summary are meant as end states. Certin adjustments will be made for period during which MFN forces will be active and US will have military command

- Civilian control
- · National command authority and authorization of the use of force
- · Responsibilities of principal institutions and services
- Proscription of militias and strict regulation of private security organizations
- · Control of commitment of funds, acquisition, and personnel policies
- · Rules, procedures and authorities governing domestic use of the IAF
- Executive-legislative responsibilities

### People

- Key Positions:
  - o Defense Minister
  - o Interior Minister
  - o National Security Advisor
  - o MoD Chief Executive and directors general
  - o Chief of the Defense Staff
  - o Commanding General IAF
  - o Director of the national intelligence service
  - o Mol directors general and senior police commanders
- · Principles:
  - o Civilian ministers
  - Military and civilian merit-based assignment and promotion
  - o Recruitment and retention through competitive pay
  - o Conscription not envisaged but not precluded
  - o Broadly representative within institutions, services, units, levels
  - o Not top-heavy
  - o Retired military may serve as officials

### Capabilities

- IAF
  - o Defining mission: defense against external aggression
  - o Modest size; capable; well-trained
  - o Motorized infantry; limited coastal defense; limited air
  - o Interior lines of communications and mobility; no force projection
  - o Limited logistics
  - o Interoperability with allies
  - o Command and control of reserves
  - Scope for enhancements to capability in future, consistent with defensive posture
- Internal Security Services
  - Single national Iraq Police Service (IPS)
  - o IPS primary missions: law enforcement, public safety, community service
  - Tiered range of IPS capabilities (public order, SWAT, Special Intervention Unit to respond to tiered threats)
  - o Specific intelligence functions linked to national intelligence service
  - o Mol services other than police: infrastructure and border security
  - o National entities with regional/local connections and input

### Infrastructure

- o Geographically distributed bases
- o Heavy reliance on civil infrastructure and support services
- Coherent national security information infrastructure, including national command nodes (Mol and MoD), crisis management center, and first responder networks

### Roles and Missions Fit

- External security will be provided by combination of capable regular IAF, IAF
  reserves, growing regional security ties, and "Western" security ties
- IAF active and IAF reserve (currently ICDC) components must be aligned and administered together and made capable of operating together. (Transition of the ICDC into IAF reserves should begin soon, with GC consultations, and be completed no later than 7/1/04.)
- · Internal security will be the greatest challenge in the years to come.
  - o Insurgency, terrorism, ethnic violence, fanaticism
- Iraqi government must be able to use whatever means are at their disposal to defeat major internal threats to Iraqi state and society
- . Domestic use of the IAF, active or reserve, is last resort and under tight control
- Therefore, it is important to ensure that the IPS has ample capabilities (e.g., special intervention units) to handle severe internal challenges
- Line between law enforcement (closely linked to criminal justice system) and forcible action against severe internal threats must be understood and observed
- If Mol forces cannot handle internal threats, the CINC+cabinet request MoD to
  detach and assign specific capabilities from IAF (including reserves) to support Mol
  forces under Mol authority. MoD would be placed in control only if Mol command
  is inadequate to meet dire threat to Iraqi state and society

### Future Work Program

- Continued refinement of Mol capabilities and organization to meet high end domestic threat, including Mol control of IAF/reserves when duly authorized
- Design of the MoD
- · Strategy for militia dissolution
- Position of intelligence service(s) within the national security system
- · Defense and security spending needs (out-years)
- Iraqi role in regional cooperation and international security institutions
- Coalition role in a sovereign Iraq
- · Transition plan for ICDC into reserve component of IAF
- · Infrastructure security plans
- Criminal Justice sector development
- · Conflict prevention and management initiatives

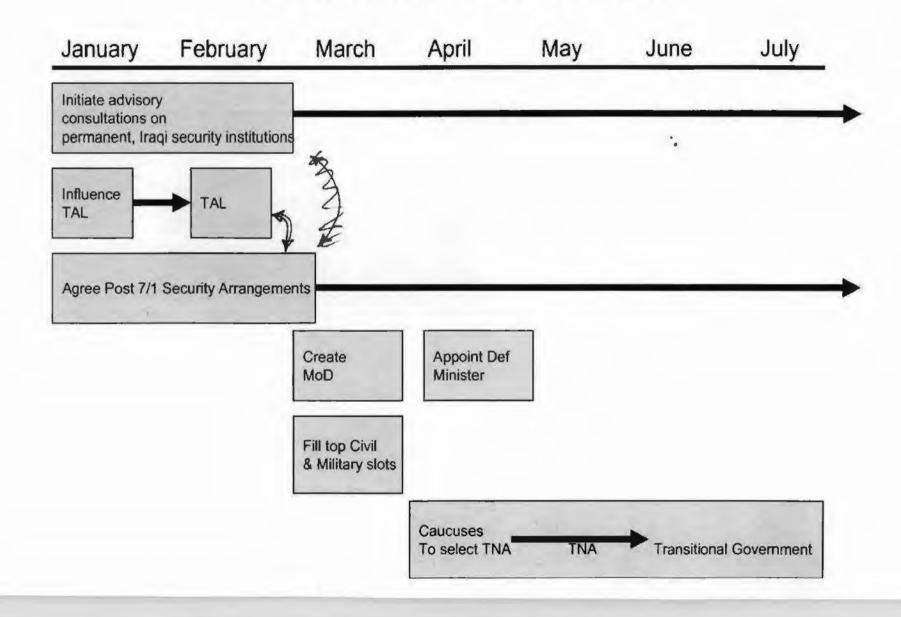
### Iraq: Political Timeline, November 2003-December 2005a (U) 2003 2004 2005 Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec No later than 28 February 2004 Approval of Fundamental Law" By end of March 2004 Establishment of Security Agreements between Coalition Provisional Authority (CPA) and Governing Council (GC) No later than 31 May 2004 Selection by caucuses of me Transitional National Assembly (TNA) June 2004 TNA election of executive branch and appointment of ministers. No later than 30 June 2004 CPA recognition of transitional administration. Resumption of Itili sovereignty. Dissolution of CPA and GC No later than 15 March 2005 Direct elections for constitutional convention Begins no later than March 2005 and must be approved by December 2005 Drafting of new constitution. No later than December 2005 Direct elections for new fraqi Government under new constitution.

UNCLASSIFIED

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<sup>&</sup>lt;sup>a</sup>Based on the "Agreement on Political Process" signed by the Coalition Provisional Authority and the Governing Council on 15 November 2003.

# Political Calendar



# Office of National Security Affairs

January 14, 2004

### OUTLINE PROGRAMME FOR SECURITY ASSESSMENT TEAM 14-15 JAN SUBJECT TO MG EIKENBERRY CONFIRMATION

### 14 Jan

0900 - 1000 - Office Calls for MG Eikenberry (0830 - 0930 - Tour CPA key offices - RCO)

1000 - 1230 - Theatre strategic context - a joint approach (CPA/CJTF 7):

- 1000 1005 Admin/Protocol brief (C5/SJS)
- 1005 ~ 1025— Opening remarks and mandate (David Gompert/MG Eikenberry)
- 1025 1100 Operational environment orientation, current situation and indicators out to TOA. (CJTF 7 – C2)
- 1100 1110 Break
- 1110 1145 Operations and security apparatus (CJTF 7 C3):
  - o Operational brief
  - o Rotation
  - o Multi-national dimension
  - o Iraqi Security Forces current situation
- 1145 1250 Political framework 'Strategic, political, legal setting: now, 7/1 and end state.' (DG,

1250 - 1330 - Lunch

1330 - 1500 - Iraqi Armed Forces (CMATT)

1500 - 1515 - Break (MG Eikenberry office call on CG)

1515 - 1715 - Development of ministries, notably MOD (

1715 -- 1800 - Dinner

1800 - 1900 - National Security policy-making, National Command Authority, and militias (DG)

### 15 Jan

0700 - 0745 - Tactical Update (JOC)

0745 - 0830 - Breakfast

0830 - 1230 - Iraqi Security Forces (MOI/CJTF 7 C3/JSOTF-AP) - MOI lead:

o IPS

- o DBE (Department of Border Enforcement)
- o FPS
- o ICDC
- o ICTF

1230 - 1330 - Lunch

1330 - prep and insertion into div areas (RCO/C3 Ops/MSCs)

16 - 20 Jan

Elements of Security Assessment Team visit MSCs (MSCs) – extract PM 20 Jan (RCO/C3 Ops/MSCs)

21 Jan

Team internal work/outbriefs

22 Jan

Depart (RCO)

# Iraq Security Forces Assessment Team

Office of National Security Affairs

# **Dimensions**

- National Security Structure
- Security Institutions and Forces
- Capabilities
- Roles & Missions
- People
- Laws, Regulations, Authorities and Controls
- Relationship to Coalition Forces

# **Stages**

### Current

 Iraq under occupation; Iraqi security sector as it has developed to date; Coalition Forces responsible for security

## ■ ToA (7/1)

 Sovereign Iraq with civilian control over security sector; Coalition Forces with a leading role in external defense and internal security; limited Iraqi security sector capacity

### End-state

 Sovereign Iraq supported by allied security arrangements; Iraqi security sector with capacity for external defense and internal security



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Structure	CPA/CJTF-7 supervision		
Institutions	Mol, MoJ, MoFA being stood up; MoD being designed. IPS, IAF, INIS being built.		
Capabilities	Low level & patchy law enforcement; Itd facility protection lst IAF battalion Operational		
Roles & Missions	IAF Battalions OPCON to 4ID, ICDC augmented to CF. IPS report to CF.		
People	Interim Ministers in MOI, MoJ, MoFA; some senior officials		
Laws	Operating under CPA Orders and previous legislation		
Relationship to CF	CF in command; gradual transition to local control		

# ToA July 2004

Structure	Sovereignty. TNA and Executive Ministry. Coalition partnership(s) to provide Security and stability. Civilian control over security sector.		
Institutions	National Security Council of Cabinet (NSCC) and National Command Authority (NCA) structure subordinate to primacy of CF? MOD and JHQ, IAF, IPS and INIS at fuller capacity		
Capabilities	Developing IPS SWOT/SIU/CT forces, Partial IAF capability to combat internal security in times of emergency. Limited Iraqi security sector capacity		
Roles & Missions	IAF coalition partner under coalition comman ICDC reserve component (fully mobilized in emergency period) commence augmentation to operational IAF HQ's,		
People	TNA appointed MOD, MOI, MOJ, MFA. CPA/GO appointed NSA, Head INIS, CHOD and IAF OP Commander to continue in transitional period		
Laws	Operating under TNA legislation and CPA Orders which continue with effect (unless repealed by TNA)		
Relationship to CF	Freedom of action of CF. (CENTCOM) C2 of Iraqi forces, CF restore security increase Iraqi capabilities to permit CF reduction. Iraq partner (or part) of the coalition.		

# **End-state**

Structure	Sovereign state with permanent Constitution agreed to by referenda. Democratically elected National Parliament and Executive.		
Institutions	NSCC and NCA primary security policy decision makers and authority for use of force by Armed Forces		
Capabilities	IAF 27 Bns +/ICDC 36 Bns +/IPS 71k + dependent on decisions/resources of Iraqi Government.		
Roles & Missions	IAF/(ICDC reserve) nationally deployable to defend sovereign state of Iraq from external aggression (internal security in times of emergency) IPS law enforcement and high eninternal security.		
People	Democratically elected leadership, Official appointments (INIS, NSA, CHOD) approved by NSCC/Parliament?		
Laws	Operating under legislation passed by the National Parliament, International treaties and security agreements.		
Relationship to CF	Iraq supported by allied security arrangements. Some (non-permanent) basing of CF in Iraq.		

# Measuring Progress

- Fortnightly reviews against Strategic Plan
- Dialogue with individual IGC members.
- Advisory consultations with National Security Committee (NSC) of IGC and a small core group to progress decisionmaking

# Back-up Slides

# **National Security Structure**

- Assume:
  - Cabinet government, with head of government (PM) as CINC
  - Singular or multi-headed chief of state is not CINC
  - A national assembly with political weight
- National command authority:
  - External defense branch: CINC -- MoD -- IAF commander (not CHODS)
  - Internal security branch: CINC -- Mol -- police or other commander
- National security policy-making mechanism:
  - Cabinet national security committee chaired by PM
  - Core members: MoD, MoI, MoJ, MoFA
  - CHODS and national intelligence service present as advisors
  - Strong apolitical national security advisor and staff to advise cabinet national security committee and provide inter-ministerial coordination

# **National Security Structure (2)**

- National assembly to have a say in:
  - Use of IAF for domestic purposes
  - Use of IAF in international peacekeeping and humanitarian assistance
  - Appropriation of funds and passage of laws governing MoD and IAF
- Key processes:
  - Inter-ministerial policy coordination and decision-making
  - Crisis management and decisions on the use of force
  - Setting, budgeting, and resourcing capabilities requirements

# Security Institutions and Forces

- Cabinet Committee/National Security Council
  - National Command Authority
- MoD
  - Iraqi Armed Forces (army, air component, coastal force)
  - Army reserves
- Mol
  - IPS, DBE, INIS, FPS supervision
- MoFA
- MoJ
  - prisons

# Capabilities

### - IAF

- Defining mission: defense against external aggression
- Modest size; capable; well-trained
- Motorized infantry; limited coastal defense; limited air
- Interior lines of communications and mobility; no force projection
- Limited logistics
- Interoperability with allies
- Command and control of reserves

### Internal Security Services

- Single national Iraq Police Service (IPS)
- IPS primary missions: law enforcement, public safety, community service
- Tiered range of IPS capabilities (public order, SWAT, Special Intervention Unit to respond to tiered threats)
- Specific intelligence functions linked to national intelligence service
- Mol services other than police: infrastructure and border security
- National entities with regional/local connections and input

### Infrastructure

- Geographically distributed bases
- Heavy reliance on civil infrastructure and support services
- Coherent national security information infrastructure, including national command nodes (Mol and MoD), crisis management center, and first responder networks

# Roles & Missions

- External security will be provided by combination of capable regular IAF, IAF reserves, growing regional security ties, and "Western" security ties
- IAF active and IAF reserve (currently ICDC) components must be aligned and administered together and made capable of operating together.
- Internal security will be the greatest challenge in the years to come.
- Iraqi government must be able to use whatever means are at their disposal to defeat major internal threats to Iraqi state and society
- Domestic use of the IAF, active or reserve, is last resort and under tight control
- It is important to ensure that the IPS has ample capabilities (e.g., special intervention units) to handle severe internal challenges
- Line between law enforcement (closely linked to criminal justice system) and forcible action against severe internal threats must be understood and observed
- If Mol forces cannot handle internal threats, the CINC+cabinet request MoD to detach and assign specific capabilities from IAF (including reserves) to support Mol forces under Mol authority. MoD would be placed in control only if Mol command is inadequate to meet dire threat to Iraqi state and society

# **People**

### **Key Positions:**

- Defense Minister
- Interior Minister
- National Security Advisor
- MoD Secretary General and directors general
- Chief of the Defense Staff
- IAF Commander
- Director of the national intelligence service
- Mol directors general and senior police commanders

### Principles:

- Civilian ministers
- Military and civilian merit-based assignment and promotion
- Recruitment and retention through competitive pay
- Conscription not envisaged but not precluded
- Broadly representative within institutions, services, units, levels
- Not top-heavy
- •Retired military may serve as officials

# Laws, Regulations, Authorities and Controls

- Civilian control
- National command authority and authorization of the use of force
- Responsibilities of principal institutions and services
- Proscription of militias and strict regulation of private security organizations
- · Control of commitment of funds, acquisition, and personnel policies
- · Rules, procedures and authorities governing domestic use of the IAF
- Executive-legislative responsibilities



# Security

- Team Leader MG Karl Eikenberry
- Purpose: Review and recommend the mission, size, roles, and timing for deployment of Iraqi Security Force
- Depart/Return dates: 11 23 Jan 04
- Outbriefs and report to Coalition Provisional Authority/ CJTF-7, CENTCOM and JCS/OSD by 27 Jan 04
- Overlap with Financial Assessment Team in Doha, Qatar 22/23 Jan 04
- Security and Financial Assessment teams have common members



# Iraq Security Forces Assessment Team

MG Karl Eikenberry

### Revised Mission Statement

<u>Mission:</u> Assess the missions, composition, requirements, resourcing, and command and control of Iraqi Security Forces in order to transition internal security responsibilities from coalition forces to effective Iraqi forces as soon as possible.

# Terms of Reference

Assess and recommend changes to the <u>roles, missions, and command and control</u> procedures for Iraqi Security Forces. [Include requirements to protect pipe lines and convoys]

Determine the requirements for security forces (size, equipment, facilities, compensation, standardization).

Determine whether we should increase and / or accelerate fielding of security forces and if so, what additional resources (funding, trainers, facilities, etc.) would be needed.

Develop an assessment of the appropriate roles of CPA, the US Embassy, and USCENTCOM in regard to:

- -Security force requirements determination oversight and training
- -Funding responsibility and authorities
- -Examine both areas above with a view of the situation now and after 1 July 04.

Assess what should happen to ICDC and remaining militia forces in the long-term (Form an Iraqi Gendarme, Iraqi Army reserve force, etc...)

Develop an <u>understanding of Iraqi concerns</u> and resolve about security services and assess how those may influence the development of security forces over time.

Determine transition issues specific to security forces and propose mechanisms now that could facilitate transition (future minister responsibilities, fiscal/funding transition, etc.).

Assess current metrics that measure security institutions, regional and national security. Recommend changes if required.

Identify key decision points, way points, milestones, and off ramps for the building of security forces.

- Assess current and future resource allocations for security forces.
- Identify best business practices within each security force examined and each region provisited (for cross fertilization)

Methodology and Timeline

### Six-Step Methodology

- Start by understanding CENTCOM, CPA and CJTF-7's overall strategic concept and counterinsurgency campaign plan.
- Understand size, mission, composition of each Iraqi security service within that concept and plan; and any models used for planning.
- 3. Assess concept of employment / operations for each service.
- 4. Observe training, equipping and ops for each service
- 5. Assess requirements for each service (personnel, training, equipment, ops, logistics, funding, admin)
- Make recommendations on the concepts of employment for each service, requirements, training, ops, and integration into coalition.

### **Timeline**

11 Jan

**Depart Washington DC** 

12 Jan

Arrive Doha, Qatar,

13 Jan

Meetings with CENTCOM, CJTF-7

**Deploy into Baghdad** 

14 - 23 Jan

Assessment

24 Jan

RTN Qatar (AM)

Depart for Washington DC

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# Team Membership

CAPT (J8-PBAD)  COL (OSD SO/LIC) (Army Special Forces / Civil Affairs - original member of ORHA as Chief of Staff)  LTC (J5-ME) (Army Special Forces, OEF w/ 5th Special Forces, Middle East FAO)  LTC (J8-PBAD)  Mr. (Spec Advisor DSD) (USMC retired - COIN Expert)  Mr. (Spec Assist DSD)  Mr. (Spec Advisor DSD)  COL (UK)  COL (UK)  COL (UK-MoD)  COL (CENTCOM)  MAJ (CENTCOM)  MAJ (CENTCOM)  MAJ (CENTCOM)  MAJ (CENTCOM)  MAJ (CENTCOM)  MAJ (CENTCOM)  MT. (Dos - PM)  Total (INL) Rep  LTC (IOSD Intel )  LTC (IOSD Intel )  LTC (IOSD Intel )		MG Eikenberry, PAC	OM J5 - Tean	n Leader
Protection Service)  (DoS (INL) Rep  (Admin)  LTC  [OSD Intel ]	CAPT  COL  Civil Affairs -  LTC  5th Special F  LTC  Mr.  experience w  Mr.	(J5, Middle East)  (J8-PBAD)  (OSD SO/LIC) (Army Special Forces / original member of ORHA as Chief of Staff)  (J5-ME) (Army Special Forces, OEF w/ orces, Middle East FAO)  (J8-PBAD)  (OSD-P) (Middle East Expert, Extensive // Iraqi issues)  (CPA) (CPA Washington - POC for all	Mr. COL COL MAJ	(Aide) OSD Comptroller) (Spec Advisor DSD) (USMC retired -ert) (Spec Assist DSD) Spec Advisor DSD) (UK) (UK) UK-MoD) (CENTCOM)
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	Capt	(Admin)		

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Dive		Mr.	(Spec Assist DSD)
5th Special B	(J5-ME) (Army Special Forces, OEF w/ Forces, Middle East FAO)	Mr.	(Spec Advisor DSD)
		COL.	(UK)
LTC	(J8-PBAD)	COL	(UK-MoD)
Mr.	(OSD-P) (Middle East Expert, Extensive	COL.	(CENTCOM)
experience v	v/ traqt issues)	16NA-	
Mr.	(CPA) (CPA Washington - POC for all	LAM	(CENTCOM)
CPA Securit	y Forces - Police, Border Enforcement, Facility	Mr.	(DoS - PM)
Protection S	ervice)	Print Control	(DoS (INL) Rep
Capt.	(Admin)	LTC	[OSD Intel]
		LTC	J2

January 6, 2004



# COALITION PROVISIONAL AUTHORITY BAGHDAD

### **ACTION MEMO**

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security Affairs

SUBJECT:

Egyptian Military Training Assistance to the IAF

Background:

Military training for the IAF has commenced in Jordan. The National Security Committee (NSC) of the IGC has been briefed on the training program though not exact numbers: nearly 1300 officer candidates from December 29 to June 17. No training is planned beyond June. Australia (4 IAF officers), Italy (3) and US (1) are also contributing to IAF training on a much smaller scale.

There is intense IGC NSC scrutiny on and pressure against training in Jordan. Points of criticism include that exiled Baathists and others with connections to insurgents have gained a foothold in Jordan and would infiltrate and influence IAF officers training there. Regardless of the validity of these complaints, members of the IGC are mounting concerted criticism of training in Jordan. The NSC has formed a sub-committee to report on the issue and present alternatives.

Egypt is able and willing to offer training assistance to the IAF. Training bases in Egypt, which replicate US training bases, may be utilized for advanced unit-size training (unavailable in Iraq), as well as officer training. As in Jordan, instruction would be in Arabic.

Advantages of Egyptian Training Assistance:

Pursuing IAF training in Egypt, even limited in scale, could have important policy advantages:

- It could ease IGC criticism by showing that not all training abroad is in Jordan.
- It could earn greater regional acceptance of the IAF.
- It might serve as a precursor to more formal regional security agreements with Egypt and others in the region.

### Recommendation:

 That the IGC NSC Subcommittee that is reviewing IAF training in Jordan be made aware of the prospect of Egyptian training assistance and be given pride of ownership of the idea as they present alternatives to the IGC.

UNCLASSIFIED

### UNCLASSIFIED

• That, with IGC endorsement PA begin negotiations with the Egyptian government to investigate training options and reach agreement. . That the IGC is briefed throughout on the progress of the negotiations. This initiative does not imply curtailment of training in Jordan. Approve with modification: Approve: Disapprove: ATTACHMENTS: None COORDINATION: CMATT (MG Eaton)/Governance

UNCLASSIFIED

(FS-02)

From:

Jones, Richard H. (AMB)

Sent:

Thursday, December 18, 2003 10:18 PM

To:

(FS-02)

Subject:

FW: Egyptian assistance to Iraq

Please pass a hard copy of this to David Gompert. Thanks. DJ

---- Original Message-----

From: Jones, Richard H. (AMB)

Sent: Friday, December 19, 2003 9:17 AM

To: Cc:

Steven W. (SES-6) Casteel,

Casteel, Steven W. (SES-

6); Eaton, Paul D. (0-8)

Subject: RE: Egyptian assistance to Iraq

Steve Casteel is our action officer for the Ministry of Interior, David Gompert is his counterpart for national security affairs and MG Paul Eaton is in charge of the Coalition Military Assistance Training Team. All could have a role in this depending on what type of training the Egytpians provide. I've copied Casteel and Eaton on this e-mail and will see that a copy of your incoming is passed to Gompert, whose name doesn't appear in my directory. Dick

----Original Message---

Main State), ,State Sent: Thursday, December 18, 2003 10:29 PM

To: Jones, Richard H. (AMB)

Cc:

dias.

Subject: Egyptian assistance to Iraq

### Dick:

We've been working for some time to encourage Egypt to provide military and security force training to Iraq. President Mubarak and Defense Minister Tantawi have several times confirmed their willingness to provide assistance. In the December 10-11 OSD-led military coordination meetings held in Cairo, the Egyptians reiterated their offer of assistance and asked for help in identifying specific needs to be fulfilled.

We've urged the GOE to send an assessment team to Iraq to discuss potential needs with CPA, CENTCOM, and the GC, and we have four-five Egyptian generals identified. Embassy Cairo is primed to accompany such a team, and the mission would be led by OMC Chief Major General Guy Bourne. Assuming that this all makes sense from CPA's point of view, we now need a CPA point of contact who can facilitate such a visit and serve as a near term liaison with Embassy Cairo and the Egyptians. We'd appreciate your help either directly or by pointing us in the right direction.

Regards -

### UNCLASSIFIED//

From: ou:MFI,cn:DKMFIHEFL001

Sent: 20:08:03 12/24/2003

CC: COALITION PROVISIONAL AUTHORITY(UC); AL IRAQ

COLLECTIVE(UC)

Cc Precedence: Routine

Subject: RESPONSE TO GERMAN OFFER OF POLICE TRAINING

Message Type: Other-Organizational

Extended Auth: 16:58:00 12/24/2003 (UTC)

19:58:00 12/24/2003 (Client/Local)

Security: This message has been digitally signed and encrypted

RTTUZYUW RUEHCAA8185 3581714-UUUU--RHMFILIU ZNR UUUUUU ZZH R 241658Z DEC 03 FM SECSTATE WASHDC - J11 TO RUEHRL/AMEMBASSY BERLIN INFO IRAQ COLLECTIVE 10 11 RUEHDO/AMEMBASSY DOHA RHMFIUU/HQ COALITION PROVISIONAL AUTH BAGHDAD . . . -BT UNCLAS STATE 348185 111 1 11 E.O. 12958: N/A 1 11 TAGS: KJUS, KCRM, PGOV, GM. IQ

SUBJECT: RESPONSE TO GERMAN OFFER OF POLICE TRAINING

REF: A. A BERLIN 4692 B. B STATE 272314

- 1. IN RESPONSE TO REF A, DEPARTMENT (INL AND EUR) HAS REVIEWED THE GOG TRAINING PROPOSAL FOR IRAQ POLICE, AND HAS CONSULTED WITH THE COALITION PROVISIONAL AUTHORITY (CPA) MINISTRY OF INTERIOR (MOI) IN BAGHDAD, CPA WASHINGTON, AND THE INTERAGENCY. UNANIMOUS CONSENSUS IS CPA MOI SHOULD BE DIRECTLY CONSULTED ON ANY SUCH OFFERS. WHILE THE SUBSTANCE OF THE OFFER APPEARS SOLID, ENSURING THAT THE CONTENT AND TIMING OF THESE PARTICULAR COURSES IS COORDINATED WITH LARGER POLICE DEVELOPMENT EFFORTS IS CRITICAL
- 2 BELOW ARE POINTS FOR DISCUSSIONS WITH COUNTERPARTS IN RESPONDING TO THE OFFER OF TRAINING.
- THE 8 WEEK BASIC SKILLS TRAINING PROGRAM HAS ALREADY BEGUN AT A FACILITY IN JORDAN, AND THE SAME 8-WELK TRAINING WILL COMMENCE AT SITES IN IRAQ IN EARLY 2004 ALL OF THESE TRAINING CLASSES WILL BE FOLLOWED BY A TEN-MONTH FIELD TRAINING PROGRAM CONDUCTED BY UP TO 1,500 US AND OTHER INTERNATIONAL POLICE (CIVPOL) ADVISORS IN IRAQ.
- CPA IS CONCENTRATING TRAINING RESOURCES IN IRAQ AND JORDAN IN AN EFFORT TO BUILD UNIFORMITY OF TRAINING AND TO DEVELOP PROFESSIONAL CAMARADERIE. THERE ARE LIMITED FUNDS AND QUALIFIED PERSONNEL WHO ARE AVAILABLE TO DELIVER TRAINING. THEREFORE, IT IS ESSENTIAL THAT ALL POLICE TRAINING ACTIVITIES BE CLOSELY COORDINATED WITH CPA TO REDUCE DUPLICATION OF EFFORT AND ENSURE CONSISTENCY OF TRAINING CONTENT.
- AS PER REF B, THE NEEDS IN IRAQI REMAIN EXTENSIVE, AND THE USG WELCOMES GERMANY'S EXPRESSED DESIRE TO HELP ADDRESS THESE NEEDS. IN ORDER TO ENSURE THAT THIS ASSISTANCE IS OF GREATEST UTILITY IT IS IMPORTANT THAT THE GOVERNMENT OF GERMANY COORDINATE ANY POLICE TRAINING OR DEVELOPMENTAL ASSISTANCE DIRECTLY WITH THE CPA MINISTRY OF INTERIOR.
- ADDITIONALLY, BASED ON THE CURRENT SECURITY REQUIREMENTS

### UNCLASSIFIED//

IN IRAQ, IT IS CRUCIAL THAT ALL TRAINING BE PLANNED WITH CPA TO PREVENT THE STRENGTH OF THE IRAQI POLICE FORCES FROM BEING DEPLETED SIGNIFICANTLY AT ANY ONE TIME.

- -- THE CPA RECOGNIZES AND AGREES THAT SPECIALIZED AND ADVANCED TRAINING FOR SELECT OFFICERS AND UNITS, INCLUDING MANAGEMENT AND LEADERSHIP PROGRAMS, ARE FUNDAMENTAL TO AN EFFECTIVE POLICE DEVELOPMENT PROCESS. CPA IS DEVELOPING A SPECIALIZED AND ADVANCED TRAINING PLAN, AND IS PRIORITIZING KEY NEEDS SUCH AS COUNTERTERRORISM, INTELLIGENCE, ORGANIZED CRIME, FORENSICS, AND INTERNAL AFFAIRS.
- - CPA EXPECTS TO FINALIZE A COMPREHENSIVE PLAN FOR SPECIALIZED TRAINING BY THE END OF JANUARY 2004, AT WHICH TIME IT WILL SEEK FOREIGN CONTRIBUTIONS FOR THESE SPECIFIC EFFORTS. WE WELCOME GERMANY'S OFFER TO ASSIST IN PROVIDING SPECIALIZED TRAINING.
- - ONCE CPA HAS COMPLETED ITS IDENTIFICATION OF SPECIALIZED TRAINING NEEDS, WE HOPE YOU WILL, IN COORDINATION WITH CPA, OFFER TRAINING THAT ADDRESSES THOSE NEEDS, WITH THE UNDERSTANDING THAT IT MIGHT BE OFFERED IN YOUR HOME COUNTRY SO AS TO DRAW UPON DOMESTIC EXPERT RESOURCES AND TRAINERS, AND THAT YOUR OFFER INCLUDES COVERAGE OF ALL TRANSPORTATION AND ON-THE-GROUND HOUSING AND LOGISTICS COSTS FOR THE IRAQI STUDENTS.
- - IN ORDER TO BE MOST EFFECTIVE, SUCH TRAINING SHOULD BE DESIGNED IN COORDINATION WITH THE CPA TO ENSURE THAT THE TRAINING AND OTHER ASSISTANCE IS CONSISTENT WITH OVERALL GOALS, AND CAN BE EFFECTIVELY ABSORBED AND APPLIED BY THE IRAQI POLICE.
- ON BEHALF OF THE CPA, THE USG IS GRATEFUL FOR YOUR VERY SUBSTANTIAL OFFER OF ASSISTANCE, CPA MINISTER OF INTERIOR OFFICIAL AT (US PHONE NUMBER), OR STANDS READY TO CONSULT WITH YOUR OFFER. WE STRONGLY ENCOURAGE YOU TO MAKE CONTACT WITH HIM AS SOON AS POSSIBLE.

WE ALSO WISH TO REITERATE OUR INTEREST IN GERMAN POLICE TRAINERS PARTICIPATING IN THE CPA LED TRAINING EFFORT IN JORDAN AND WOULD WELCOME A GERMAN CONTRIBUTION

BT #8185

MINNI

# Iraqi Security Forces Generation of Capability: Reality as of 20 Jan 2004

	Army	ICDC	Police	Border	Facilities Protection
Mission				127	
Tasks	4		4	4	
Force Structure	1		an is		
Training	4		2	4	4
Equipping	1		2	2 2	4
Fielding	6.		23	- 11	3
Sustainability	2		2	2	111
Resources	E3	10	2		3

KEY:







**CPA** Lead

CJTF-7 Assist

CJTF 7 Lead

NOTES: 1. CPA Services Through CMATT

2. MSC Initiative

3. Devolved to Ministries

### COALITION/IRAQI C2 - TRAN ITIONAL ARRANGEMENT IRAQI TRAMOTHONAL AUTHORITY NATIONAL SECURITY COUNCIL HQ Ministers of Defense, Interior, Finance, Oil COALITION NATIONAL Justice and Foreign Affairs, Intelligence FORCE Advisor. (Coalition Commander a full member) IRAQ **JFHQ** OFFICE OF ECURITY **OPERATIONAL** COMMANDER Iraqi Police New Iraqi COALITION COALITION **PROVINCIAL** ervice Provincial MILITARY Divisions Army-\*\*\*\*\*\*\*\*\*\* POLICE ADVI ORY **ADVI ORY TNG** mand Division TNG (NIA, ICDC) (Police, Borders) New Iraqi **OPCOM Brigades** Army Brigade LOCAL **OPCON** Iragi Police ervice Local COORD New Iraqi Joint Coordination Council

Notes: 1) NSC provides a mechanism for co-ord and mentoring by Coalition Commander. 2). Iraqi Forces are delegated OPCON to CJF under the Security Agreement. 3). JFQ, once established, will provide co-ord at National level with Coaltion HQ. 4) As the Strategy of Local to Strategic 'handoff develops, and the Iraqi C2 structure matures, control will be progressively passed to the Iraqi Transitional Authority via the JCC mechanism.

Army Brigade

**Battalions** 

\*Co-ords Local Gov, Army, ICDC Police, Borders, Infrastructure Protection PCL XL error

Subsystem: IMAGE

Error: MissingData

Operator: ReadImage

Position: 864

# Iraqi Armed Forces

Requirements	27 Bn Level	9 Bn level (w/ officer and NCO training conducted at the 27 Bn level)	\$ Savings	Personnel Savings	Residual Effects of Deceleration	Assumptions	Reallocation Opportunities
US Military CST Personnel	602 US pax \$30M (requested in RFF submitted by CMATT 13 Oct)	250 US pax \$12.5M	\$17.5M	352 US	If all 602 are deployed, "\$ Savings" column goes to 0, but 352 pax available for mentoring ICDC, Police, IBP. Organized into 10 man teams, provides -35 teams for reallocation	10 man Teams composed of officers and NCOs possess skill sets adaptable to mentoring of ICDC, IBP units	At a ratio of 1 tm/Bn, 35 of the proposed 43 ICDC Bns could be manned by US mentors  35 Border or Police stations could be mentored
Iraqi Officers / NCOs	1350 Officers 4000 NCOs	1350 Officers 4000 NCOs	No change (contract being executed, sunk cost)	No change (contract being executed, sunk cost)	Excess officers (~900)/NCOs (~2668) available to assist in training IAF, ICDC, IBP, or as shadow officers in US units to gain exposure to professionalism of US officers/NCOs	• 100 man team can train 800 man Bn • ICDC trng = 1 mo • IBP trng = 8 wks • Officer/NCO ratio = 1:5 • Trng Facilities avail.	· 33 tms could conduct 2 month training for 33 IBP Bns     · Officers/NCOs coming on line Mar 04; Off/NCO trng complete by Jun 04
Iraqi Soldiers	~35,000	-8100	N/A	26,900	Potentially avails 26,900 to serve in other security elements	Recruits are willing to serve in other security elements	Any recruits diverted from IAF to other security elements could not be used to stand up future IAF battalions
Sustainment (Life support / Gen O&M)	\$318.668M	\$183.212M	\$135.456M	N/A	Reallocate funds to ICDC, Potice, IBP	\$609.342 million saved in first year only. If diverted, other sources must be found to fur remaining 18 battalions of the IAF during yea and 3.	
Vinnell Training Contract	\$48M (Fixed contract- terminates Jun 04)	\$48 M (Fixed contract-terminates Jun 04)	so	None	Excess NCO trainers produced by Vinnell could be available to train ICDC, IBP (captured above in "Iraqi Officers/NCOs" row)		
Construction	\$466M (9 bases including maritime, air, military academy, and recruiting requirements	\$181M (Reduced to 3 bases while retaining maritime, air, military academy, and recruiting requirements	\$285M	N/A	Reallocate funds to ICDC, Police, IBP  Additional \$40M saved if military academy not funded		
Equipment	\$756,932M	\$585.546M	\$171.386M	N/A	Reallocate funds to ICDC, Police, IBP		
Total	\$1.6198	\$1.010B	\$609.342M	NIA	Reallocate funds to ICDC, Police, IBP		

# Team Membership

	(Elýó)
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finals	COL (UK-MoD)
Mr. (OSD-P) (Middle East Expert, Extensive	COL. (CENTCOM)
experience w/ Iraqi issues)	MAJ (CENTCOM)
Mr. (CPA) (CPA Washington - POC for all	No.
CPA Security Forces - Police, Border Enforcement, Facility	Mr. (DoS – PM)
Protection Service)	Mr. (DoS (INL) Rep
Capt. (Admin)	LTC [OSD Intel]
	LTC (J2)

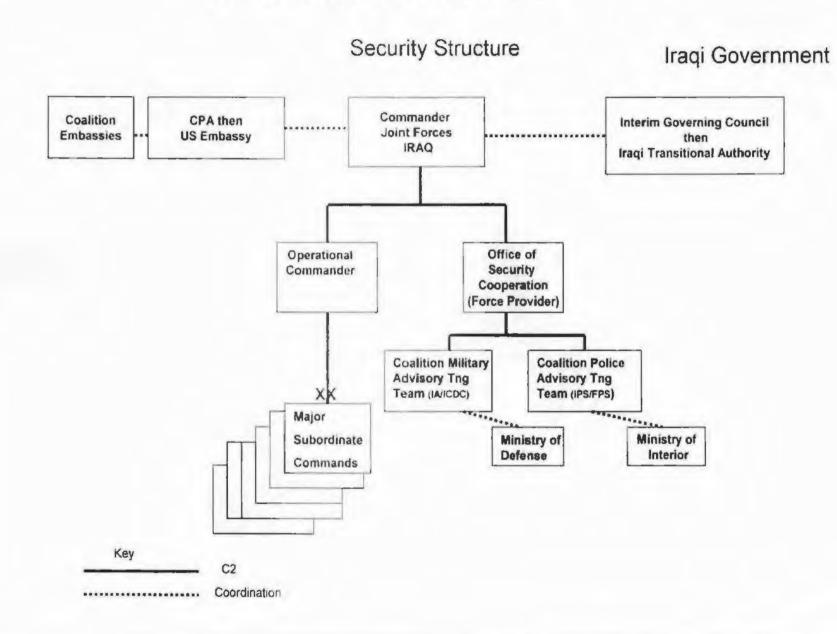
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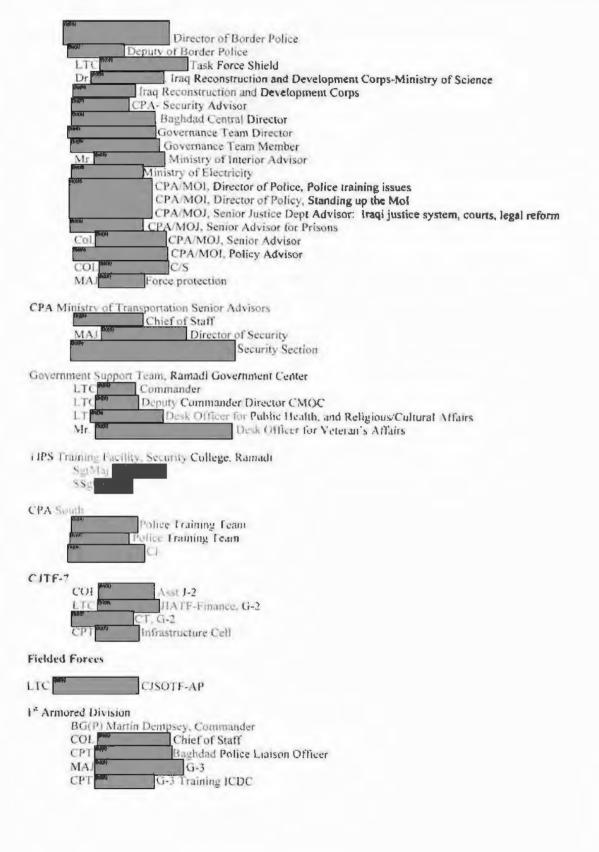
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- Identify key decision points, way points, milestones, and off ramps for the building of security forces.
- Assess current and future resource allocations for security forces and the funding process.
- 11. Identify best business practices within each security force examined and each region visited (for cross fertilization)

## **RECOMMENDED C2 STRUCTURE**



## ANNEX C MG Eikenberry contacts:



```
4 Infantry Division
          COL
                        Chief of Staff
          LIC
                     G1-Effects
         MA
                      G3-Effects
         CWO-3
                        G3-Effects
         LIC
 2-503<sup>rd</sup> Infantry, 173 Airborne Brigade (attached to 4<sup>rd</sup> ID)
1.TC Battalion Commander
         MA.
                         -3 Fires
         CPT
         SGIMAL
 82<sup>rd</sup> Airborne Division
         MG Swannack, CG
         LIC
                    [G3
         MAJ
                      G3 Plans
         LIC
         MAI
                         G3 Effects (Responsible for IPS training)
         Capt
                     G3 Effects (Responsible for Border Patrol training)
                   G3 Effects (Responsible for ICDC training)
         LIC BE
         Mr.
                        CPA Governance Team
         Mr.
                       CPA MOI (Police) LNO
                  CPA MOI (Police) LNO
 1" Bde Combat Team, 1" Infantry Div HQ (Attached to 82" ABN)
         MAL
         MA
         MIL
                       Isto Intamey Untainen
 101 Auborne Division
         CPI
                               Communder, A CO 503 MP Battalion
         MAJ
                            Irmgi Security Force Director
Multi-Nation d Division (Contact South)
             PMC) Blemel Commander
         MG
         COL
                              6-7
         MA
                                Depuis G-2
         SGI
                               Analysa G-2
                              (NO to Ukraiman Forces
         LU
         1.11
                               ICDC trusting team
         CPI
                              Tactical Humint Team Commander
        COL
                          Division Chief of Staff
                          Interpreter
                         Interpreter
                             Security Systems Reform Tearn
Multi-National Division (South-East)
        MAI
                             XO, Dutch Battalion
                         ompany Commander, Dutch Battalion
        LTC
2nd Air Cavalry Regiment
                      Commander
```

Commander, Support Squadron

HIC

20° Armored Brigade, 159 Colenso Battery MAI Commander CPT 505th Para Rgt. Fallujah, Al Anbar Province, Iraq Commander 505th Para Ret LTC XO MA MA MA MA 2d Armored Brigade (Aus) ICDC MAJ Iruqi Armed Forces Brigadier Kurmin Abdul Attar Sadown, Commander 1º 8DE Kir Kush Military Training Base, IAF Recruit Training Base LTG (Ret) George Crocker - Chief training team, Vinnell Corp. LIC 1-17 FA Battalion Commander 4" ID IAF Training Cell MAI MAJ 1-17 FA S-3 LIC Battalion Commander (IAF) ICDC Mar R Dr. Britalism Major Commander MAJ MAI I BCI's ICDC Training Facility 5 I'A Battalian Commander 1-5 FA 5-3 MAI CPIE 1-5 FA ICOC Framing Director S-3A Iraquile DC Battalian 1-22 Infantry Bartalion R DC Training Facility CPIG TOR Trainer CPT ICDC Trainer Sgt LstClass ICDC Trainer MAI S-3. ICDC Banalion LIE Pit Cmdr, ICDC Battalion traqi Police Force

Baghdad City Council, Public Safety Committee
Dr Ali al Amiri and Hamed Bakhati
Gen Jaafar Abdul Rasoul Abed, Baghdad Police Acting Chief (#3)

Ramadi Police HQ, Al Anhar Province
LTC 304" CA Bde
LTC Commander, 1-124" Infantry (Florida National Guard)

## MG Jaadan, Police Chief, Al Anbar Province

Kirkuk Police HQ
BG Turhan, Kirkuk Police Chief
COI 173 ABN Brigade Commander
Kirkuk District Police Substation
CPT Iraqi District Police Captain
Team Visit to Kirkuk Police Academy
1LT 2-503 Police Trainer
MG Mohamed Bwoharie, Mosul Chief of Police
UK Police Senior Advisor, Baghdad Police Academy 1LT PLT, 527° MP CO, 18° MP BDE, Baghdad
BG Afrf Abdul Rahman, Director of Plans
Border Police
Muntherya Border Site
COL (P) raqi Commander Muntherya Border Site
CPT Battery Commander, 1-17 FA
COL (FNU Commander, Shalamcheh border crossing
Facilities Protection Service
COL Facilities Protection Service Mosul
CMAIT
COL

## STRATEGIC PLAN STATUS CHECK

(as of 6 Feb 04)

#### Summary by Core Foundation

#### Security

- · ONSA update ongoing
- MoJ plan being revised

#### **Essential Services**

- · No plan update from Electricity
- · Oil revised (oil company plan)?
- Rewrite of Industry & Minerals ongoing
- · OFF Milestones presented awaiting Key Tasks

#### Economy

· Re-assessing SOE strategy in light of recent political decisions.

#### Governance

No change to Database.

#### Strat Comms

 Focus remains Governance – Electric, Education and Health campaigns will start when more resources currently working governance are available.

#### Significant Reds

Communications - Objective 2-5, Restructure ITPC and its Business Operations

Assessed as RED as a result of current/likely resistance from the ministerial level. Although Dr. Haider al-Abadi has agreed in principle to the establishment of an Inspector General, there has not been a corresponding level of action. The same challenge applies for the appointment of a female deputy as recommended/directed by Ambassador Bremer. The second reason this objective is coded red overall is because the premise of restructuring the ITPC involves putting into place external controls (auditing/IG) and a divesture of business units (postal, transmission, networking, etc.) from the current structure that have been or will very likely result in resistance from the Minister. Beyond the physical efforts required to spin-off individual units, it involves perhaps more difficult intangible factors such perceived loss of power, control, and resources that have been slowed-rolled to date. The mechanisms, planning, and soon the resources,

are in place and underway for each of the supporting tasks, but overall objective success will depend upon the ability to break through the barriers posed by the impact of the intangible factors on the minister.

<u>Transport</u> – Objective 10-2, Enable Iraqi Port Authority (IPA) to administer a port of call with intermodal capabilities and inland container distribution.

While Iraq-funded dredging and supplemental-funded dredging will commence in February, there has not been any maintenance dredging since September 2003, when Great Lakes Dredging Co. completed their work. This is partly because the Iraqi dredge fleet of 7 ships (6 ships non-operational, 1 ship operational) is in disrepair. Also, with 2 operational container cranes, limited waterside transportation capacity is restraining the amount of goods coming through the Port of Umm Qasr. In addition, because the cranes are not powered by the electrical grid, they are relying on diesel-powered generators for the power supply—which has reduced crane movement capacity down to 70%. Each crane at Umm Qasr moves 8 containers per hour, while the industry standard for the crane ranges between 20-30 containers per hour.

#### Significant Ambers by Trend

#### Security

MoT expect to have BIAP ready for commercial flights prior to Transition although this will be conditions based, subject to security.

#### Personnel

No change to personnel issues raised 30 Jan 03. Justice will present to Exec Board 8 Feb 04.

- Security Obj 3, KT 2, ST 1 By mid-February, staff will be down to 7
  Coalition personnel in the Ministry of Justice. No replacements identified
  despite repeated requests, including requests-by-name of lawyers eager to
  come to Iraq as justice advisors.
- Security Obj 3, KT 4, ST 1 January 2004: Long-awaited contracted civilian prison experts are slowly beginning to arrive and being assigned duties as correctional trainers and facility-level administrators beginning in the greater Baghdad area and then expanding nationwide. Extreme lack of qualified Iraqi staff suggests hand-over of operational control on July 1 could have severe adverse consequences.

Security Obj 2, KT 3 - Create an Effective and Accountable Police System

The CIV POL police have been slow to arrive in country. 14 in January.

Recruitment held up due to contract issues and availability of Supplemental Budget funds. Discussion at the Jordan meeting is still ongoing and may impact this task.

Some delays in training due the difficulty of moving international trainers into Iraq. 14 new trainers in January. The details of the revised way forward on international trainers is being worked out in Amman Jordan between MOI leadership and State INL. It will be directly linked and related to the Adman Palace move.

Essential Services (Comms) Obj 2, KT 7 - Expansion of Wireless Capacity:

Awaiting arrival of new CPA staff to facilitate project.

#### **Funding**

Security Obj 2, KT 1 – Develop and apply consistent vetting policies and processes:

A review of options has been written by MOI policy and PRB funding will not fund the project. No new funds have been identified at this time.

Security Obj 2, KT 3 - Create an Effective and Accountable Police System

Recruitment held up due to contract issues and availability of Supplemental Budget funds. Discussion at the Jordan meeting is still ongoing and may impact this task.

The times for delivery are being pushed to the right because of slow release of money and contracting slow-downs to meet "fair and open" policy.

Essential Services (Housing) Obj 4, KT 2 - Increase Housing Supply:

The Housing shortage is in the magnitude of in excess of 1.4 million units

No Housing funds were provided in the Supplemental. A tender was issued in August for 13 projects of 504 flats each that would have been funded from the supplemental. The bid date for the tender was extended in hopes that Donor's Conference money would become available to fund the contracts. However, it did not, and Amb Bremer made a special allocation for housing to get this critical infrastructure and social met. Initial allocation was 100 million housing proper, and 30 million for "mortgage banking". Bids opened 10 Jan

There is no indication of what will be provided for Housing from the Donor's Conference.

Three low income housing projects (1,320 flats) are underway with FY 03 Iraqi funds.

Six projects (3,024 flats) re-started in OFF.

There is only enough funds in the FY 04 Iraq budget for two new projects of 504 flats each.

## Capacity Building

Essential Services (Water Resources) Obj 8 KT 1 – Create Viable org to deliver water, sewerage and municipal services:

New Institutional Development and WatSan Advisers to start December and January; (WatSan Adviser not yet in place at 29 Jan, expected within next 20 days)

Civil Service Reform needs assessment study by DFID - January team start. (Visit signalled start of CSR Team in Baghdad by end February)

DFID-MMPW Support Project to be determined by January DFID visit (resulted in putting DFID-MMPW Support Project in abeyance and placing all decisions on the scope of support under the CSR project rather than as originally envisaged as a stand-alone project)

Essential Services (Water Resources) Obj 8, KT 3 – Develop full range of Municipal Services and inclusive delivery mechanisms.....:

Development planning processes are still at an early stage but have the potential of bi-lateral (DFID) capacity building and support. (DFID-MMPW Support Project now in abeyance, but CSR Project forthcoming which can accommodate some of these requirements)

Withdrawal of all UN expatriate staff hampering progress on global technical coordination. (New UN analysis underway for potential return; new UN Strategy Document highlights Urban Management and Planning as a priority input).

Essential Services (Water Resources) Obj 9, KT 4 – Capacity Building within the Ministry:

Approximately 120 employees from the defunct Defense Surveying group are now under the MoWR. This group needs to be retrained to operate and function utilizing modern equipment and techniques. This effort cannot be started until the new MoWR organizational structure is completed.

IG Identified for selection but was later selected by another Ministry.

Essential Services (MoLSA) Obj 11, KT 3 – Convert Social Service Programs into Economic Development Tools:

76,629 jobs have been created under an initiative, the National Employment Program, that seeks to create 100,000 new public work jobs. Over 150 personnel who were identified for jobs, but lacked the proper skills, started vocational training courses at the Baghdad training center (3 / 17 centers are open).

#### Develop Iraqi defense capabilities and oversight mechanisms

Key Task

POC

1 January - 31 March (Q1) 2004

1 April - 30 June (Q2) 2004

1 July - 30 September (Q3) 2004 - Onwards

Status Narrative

Composition role and function of the

begun consultation process.

NSAC being determined - likely to have

## 4 Develop Iraqi defense capabilities and oversight mechanisms

LTC

## National Security System Development

- Plan for national security policy/defense strategy and institutions. Through interaction with Iraqis experts in closed seminars, NSAC and GC Security Committee, Appoint New Defense Minister (by 1 April 04)
- Appoint Secretary General (by early April 04)
- 2 DSA functions integrated into MOD and JFHQ, partial move into new building March

Initial cadre DSA stood up October 18-Iraqi staff currently employed, providing administrative and logistic support to the 1st Battalion of the NIA.

OSA/NSD and CMATT seek to find a

executive levels to form the corps of

quality pool of candidates at the senior

 Continue to recruit senior leaders, managers and staff. Goal is to recruit 50 Iraqi MOD civilians. Continue - placement of candidates into provisional positions for institution development and planning.

Conduct training for MOD divilian officials; programs to be conducted in Iraq and abroad.

Continue training senior civilian and military training.

Consideration of initial placement of candidates into provisional positions for institution development and planning.

NIA Staff training and functioning.

- 4 Implement FY2004 budget to support MOD
- 5 Interaction with Iraqi officials to gain understanding and

Iraq's provisional national defense institutions as well as jointly assist in their development.

Saturday, February 07, 2004

Page 22 of 31

Security

9

Seek approval for MOD organization/mission/policies

Consultation with GC Security Committee, Iraqi experts, strategic seminars re NCA.

7

2

#### National Defence Institution Development

Transfer responsibility to track to manage, making payment through the banks to individual accounts.

Policy decision on routine stipend program and double-dipping. Job matching program in Iraqi hands.

2 OM/DOL job matching program continues.

3

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IOM registration forms in MOL possession and being processed

#### Develop Iragi defense capabilities and oversight mechanisms

#### Key Task

POC

1 January - 31 March (Q1) 2004

1 April - 30 June (Q2) 2004

1 July - 30 September (Q3) 2004 - Onwards

Status Narrative

## 3 Iraqi Defence Capacity Building

IFHQ lead staff mov into MOD Annex (Mar) 1st Bde HQ operational in Mosul (Jan) Draft IAF Force Development Plan IAF Senior Ldrs Dev Cse (Apr)
IAF Joint Ops Planning Cse (May)
JFHQ mov into MOD Bldg (Jun)
JFHQ IOC (Jun)
HQ 1st, 3rd & 5th Divs established.
HQ 2nd & 3rd Bdes established
(Apr)
Draft iraqi National Defense Plan
Prepare and approve FY 2005

HQ 4th - 9th Bdes established (July)

16th - 18th Bns graduate (July)

19th - 27th Bns garduate (Sep)

C-130 Sqn IOC (30 Aug)

Note By 30 Sept 2004, 27 light motorised battalions operational, formed into 9 Bdes, operating within 3 adminstrative divisions,

2 Define NtA employment concept

3 Bns 3 & 4 graduate (Jan and Feb) Pt & Coy Comds Cse (580) in JOR (to Mar) Bn & Bde Comd and Staff Cse (138) in JOR NCO Cses (1250) at KMTB

4 UH-1 Pilots course (19) in JOR (until May). UH-1 Maint Cse (28) in JOR (until May). C-130 pilots course (10) IN JOR (until July). Air Corps Ops Spt Trg in JOR.

5 Stand up infrastructure.
Establish HQ ICDF & CMATT
(Maritime) HQ in Umm Qasr
Commission vessels and craft.
Conduct specialist training for
Patrol Boat Squadron and Coastal
Defence Regiment.
Produce medium term ICDF plan.

6th - 15th Bns graduate (Jun) PI & Coy Comds Cse (560) in JOR (to Jun) Bn & Bde Comd and Staff Cse (160) in JOR (May-Jun) NCO Cses (3000) at KMTB

(Iraqi) budget.

UH-1 Pilots course (19) in JOR (until May).
UH-1 Maint Cse (28) in JOR (until May).
UH-1 Sqn IOC (30 Jun)
C-130 pilots course (10) IN JOR (until July).

2 x ICDF Ptl Craft delivered (Apr) 10 x ICDF RIB boats delivered (Apr) 3 x ICDF Ptl Craft delivered (Jun) ICDR move to Umm Qasr and commence Spec Trg (Apr). ICDF commence maritime trg (Jun) Draft issued

ICDF IOC (Aug)

Develon Iran	defense canabi	lities and aver	sight mechanisms
DEACION ILOR	i deterrat capabi	ilicies allu over	Signi mechanisms

#### Key Task

POC

1 January - 31 March (Q1) 2004

1 April - 30 June (Q2) 2004

1 July - 30 September (Q3) 2004 - Onwards

Status Narrative

6 Solicit PME requirement, quotas, equipment, contributions and training support. Establish bi-lateral professional contact with coalition and regional counterparts and institutions. JFHQ Senior Ldrs attend NESA Executive Seminar (14) Commence Military Academy implementation.
9 x Snr Staff attend overseas staff colleges.

7 Bn individual egpt issued on arrival at KMTB

Bn vehicle sets ordered for delivery Mar-Apr.

Plans made for integration of most military support into civil economy and in conjunction with other ministries.
 Refurbishment underway of basing infrastructure to support expanded force, harmonised with graduation plan.

9

10

Train the Trainers Programme (May - Aug)
May-Sep open Iraqi Military
Academy
Selection of Military Academy
cadels
3 x Snr Staff attend overseas staff
colleges.

Students already deployed to JOR and AUS. SP and IT considering offering places. UK has offered officer cadets places.

Military academy location confirmed at Rastimiyah

## Develop Iraqi defense capabilities and oversight mechanisms

#### Key Task

POC

1 January - 31 March (Q1) 2004

1 April - 30 June (Q2) 2004

1 July - 30 September (Q3) 2004 - Onwards

Status Narrative

## 4

## MoD HQ Infrastucture Development

Establish and exercise civilian control over national security resources. Inventory MIC assets/personnel. Interim Minister for MIC appointed. Resolve MIC WMD.

2

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6

Post 7/1 Security Planning

2

3

4

5

6

Responsibility transferred from SA(NSD) - to be dealt with under general SOE policy.

#### MINUTES

## Meeting of the CPA Executive Board February 1, 2004 Baghdad, Iraq

General Kellogg called to order an Executive Board session to review Electricity and the Strategic Plan.

ELECTRICITY SEC	FOR UPDATE:
LtCol	Senior Advisor for the Ministry of Electricity (ME), updated stry's Strategic Plan. (N.B., This oral update has not yet been
	CPA Strategic Plan itself.)
briefed th	nat four key tasks support ME's overall objectives:
a.) Improve gener July 1;	ating capacity to 6,000 MW (from 3,200 - 3,500 MW in July 03) by
	y policy on allocation of electrical power, through fair load omestic and commercial customers;
	city Sector Strategy document; and

reported peak generation is at its highest since October and overall generating capacity has reached record levels with much less variability. The Ministry's generation capacity goal of 6000MW seems achievable by July 1. Total demand is increasing with economic growth, but the current measure of 7000MW should be met by year-end. The plan to increase generation is a three-pronged approach – add new generating plants, enhance the output of existing units through maintenance and rehabilitation, and increase imports. The ME, the Corps of Engineers and USAID/Bechtel are now executing projects to increase generation. Additionally, Early Action projects funded through the Supplemental are being tasked through CPA's Project Management Office (PMO) and will commence in February.

d.) Minimize sabotage and improve security.

The Board heard that load shedding will decrease as generation, transmission and distribution systems are strengthened. A revised allocation policy will be submitted for approval by the end of February. Revisions are necessary to account for the increasing level of generation, the growing demand from and importance of industrial sites, and specific political realities across various regions in Iraq. Reporting systems are being strengthened to enhance intelligence of power on/power off hours nationwide. The Ministry is making progress in distributing power to areas with little or no generation capacity. Ongoing projects to rebuild high voltage power lines and rehabilitate distribution systems in Baghdad are also contributing to more balanced and predictable load shedding.

The Board noted the Electricity Sector Strategy document includes both a technical Master Plan and a "soft side" strategy for sustaining the Ministry post-CPA. The final consolidated document will be published prior to June 15. The appointment of an Inspector General by the end of February is an important component to ME capacity-building efforts.

The Board agreed that the information campaign should stress Coalition generating capacity goals are much higher than under Saddam, and that increasing demand is a positive economic indicator. It should also manage expectations with the most accurate schedule and rate information possible. ME is trying to familiarize Iraqi customers with their personal demand statistics by reading meters and issuing statements of usage. Payments from April to December 2003 have been forgiven, but the Ministry's plan to begin actual billing in March 2004 raised concerns from some Board members who believed no billing should occur until electrical service is more reliable. LtCol countered that it was critical to have billing and collection mechanisms firmly in place before the June transition. Revenue would be nominal since rates will remain at extremely low pre-war levels – no tariff increases or special fees are planned in the short

advised a comprehensive electricity infrastructure security plan will be developed before the end of February. He noted that three meter readers already have been shot, and sabotage of electricity infrastructure remains a critical concern. The plan will combine the efforts of the Electrical Power Security Service (EPSS), Coalition military forces and contracted security teams. Additionally, all Force Protection Service (FPS) Transfers of Authority will be complete by the end of March.

concluded that the Ministry of Electricity has sufficient capital and seems on track for transition. The biggest challenge would be training its 42,000 employees in everything from turbine operations to senior management. CPA has been working toward this end with USAID and Bearing Point and hopes to develop a partnership with a western utility.

#### STRATEGIC PLAN STATUS CHECK:

term.

Office of Policy Planning and Analysis (OPPA), reviewed the updated Strategic Plan. Most elements of the plan had been updated aside from Electricity. Mol, ONSA, CJTF-7, Communications and Ministry of Industry were revising their updated plans. A new plan is being developed for the OFF program. Key findings of the updated plan included:

- No tasks had worsened to Red
- The strategic communications program remains focused on Governance;
   Police, Electric, Education and Health campaigns will start when more resources become available;

Across the plan, personnel shortages are delaying programs and pushing them
into Amher. This applies to min of Finance, Min of Trade, Min of Justice,
especially prisons, and Min of Human Rights.

Ambassador Jones said it might be useful to document those cases in which personnel shortages were preventing CPA from meeting its strategic objectives. CPA should recruit internally first, but if critical positions could not be filled by existing CPA Staff, we could request personnel by cable. The Ministries of Finance and Justice seemed to be facing the most critical shortages. The Board agreed to initiate internal CPA trawls for personnel and to invite the new Senior Advisor for Justice to review his Ministry's Strategic Plan at the February 8 meeting.

The Board approved minutes from the January 25 Executive Board meeting.

PENDING ACTION ITEMS FROM THE FEBRUARY 1, 2004 BOARD MEETING:

Attendees:	
Ambassador Jones (co-chair)	
Ambassador Greenstock	
COO Kellogg (co-chair)	
Ambassador Richmond  MG Gallinetti	
General Figgures	
Invitees:	

E:\ExecSec\ExecBoard\Minutes | FEB 04

	(GS-13)		
From:	Executive Secretary		
Sent:	Saturday, February 07, 2004 9:17 PM		
To:	(GS-13)		
Subject:	FW: ExBd Agenda for Sunday February 8, 8	3:15am, Ambassador's	Conference Room
Importance:	High		
Follow Up Fla	g: Follow up		
Flag Status:	Flagged		
Meeting	TSqt, USAF		
xecutive Se	cretariat, Special Projects		
PA Baghdad			
Original Mess From: Sent: Friday, Fel Fo: Executive Bo	(FS-1) oruary 06, 2004 6:12 PM	(CIV);	(0-2);
OTHER);	(O-5); DepAdm		
Subject: ExBd A	genda for Sunday February 8, 8:15am, Ambas	sador's Conference Ro	Oni

#### **AGENDA**

CPA Executive Board Meeting Sunday, February 8, 2004 8:15-9:15am Ambassador's Conference Room

1) General Business - Ambassador Jones (5 min)

Please review Minutes from February 1 meeting, first attachment above. Minutes will be considered approved if no objections received. Please submit any revisions in advance to the Executive Secretary.

Subjects suggested for next week's meeting include a) property/facilities review procedures, and

b) Iraqi visa policy.			
2) Building Justice Update	CPA Senior Advisor	, with	head of CPA
Prisons Department (20 min)  Handouts attached above: Outle milestones, and timeline. Schmults will	ine (** asterisks on outline in	ndicate topics to l concerns.	be briefed), priority
3) CPA Policy for Post-Transition R Revised February 3 Memo, Min parts.			ed above in three
4) Strategic Plan Review Update	(10 min)		
Status checklist is the last attack be discussed.	hment above. Board will nee	d to suggest ner	at strategic issue to
Board members are asked to confirm at attachments will not be provided.	ttendance to Executive Secret	ary. Separate, I	nard copies of the
Members of the Executive Board atte memorandum, "Reorganization of C			
Deputy Administrator and Chief Policy	Officer, Chair		
Deputy Administrator and Chief Opera			
U.K. Special Representative			
U.K. Deputy Representative Director, National Security Affairs			
Deputy Commander, CJTF-7			
Chief of Staff, CJTF-7			
Senior Counselor			
Director, CPA Executive Secretariat			
CPA General Counsel			
The Chair has also invited	(OPPA) and	(OGA), or th	neir designee, to
attend each meeting.		-	
The Chair has invited and Justice, a to make a spe	to make speci		on the Ministry of
advisors, at the February 8 meeting. T			
present at the February 8 and February			**************************************
Attendance is restricted to members an advance to the Executive Secretary.	d invitees only. Requests for	attendance sho	uld be submitted in

Executive Assistant, CPA Administrator

OK

#### ANNEX 1

			CPA	Ground	lwork		1ra	qi Engag	ement a	and Progr	ess	Supplemental Funds	Lead Country?	Interviewer
Category	Ministry	Strategy	Structure	Skills	Systems	Support	Strategy	Structure	Skills	Systems	Support			
	INTERIOR											\$2,061.0	USA	AR
Senior	DEFENCE											\$1,876.0	UK	AR
Policy	JUSTICE											\$514.0	USA	GD/JH
Advisor	FINANCE											\$30,0	USA	AR
	PLANNING & DEV. COOP.												AUS	AR
	ELECTRICITY											\$5,560.0	USA	KK
	MUNIC. & PUBLIC WORKS											\$4,002.0	UK	GD/JH
	OIL											\$1,701.0	USA	KK
	HEALTH	100									100	\$793.0	USA	GD/JH
	TRANSPORTATION											\$545.0	USA	KK
	AGRICULTURE											\$260.0	AUS	GD/JH
	COMMUNICATIONS											\$135.0	USA	KK
	HOUSING											\$130.0	USA	KK
Technical	LABOR AND SOCIAL AFFAIRS											\$108.0	USA	GD/JH
Advisor	DISPLACEMENT & MIGRATION											\$105.0	PRI	GD/JH
	EDUCATION											\$93.0	USA	GD/JH
	CENTRAL BANK											\$76.0	POL	AR
	WATER RESOURCES											\$70.0	USA	KK
	HIGHER EDUCATION												USA	GD/JH
	FOREIGN AFFAIRS												USA	GD/JH
	INDUSTRY & MINERALS												USA	KK
	TRADE												USA	AR
	HUMAN RIGHTS												UK	GD/JH
	ENVIRONMENTAL												USA	GD/JH
	CULTURE												17	GD/JH
	SCIENCE AND TECH.												7	AR
	YOUTH AND SPORTS												USA	GD/JH
	BAGHDAD CENTRAL												USA	-

MINISTRY OF JUSTICE PRESENTATION TO EXECUTIVE BOARD EDWARD C. SCHMULTS, SENIOR ADVISOR FEBRUARY 8, 2004 I. Personnel II. Strategic priorities Top priorities (\*=Mr. Schmults will discuss) o \*Commission on Public Integrity o Judicial Review Committee o Courthouse security

- o Judicial security
- o Witness protection

o Court-appointed defense counsel

o \*Transfer of judicial administration and pay from Ministry of Justice to Council of Judges

140 5

- INIS

- o \*Central Criminal Court of Iraq
- Expedite detention-to-trial time
- Court-police-prisons communications system
- Judicial, prosecutorial, attorney training
- \*Property rights
- o Legal Gazette

Post-June 30 issues

- o Judicial review and judicial independence
- o Ministry receptivity to Embassy advice
- O How to cultivate due process, human rights, rule-of-law norms

#### III. Prisons

- · Personnel
- Status overview
- "War-stoppers":
  - o logistical support
  - o bed space for reclassified security detainees
  - o funding for new prisons
- · Post-June 30 issues
  - o Ministry acceptance of responsibility for Prisons
  - o Ministry acceptance of Embassy authority, assistance; coercion must be codified in Fundamental Law?

Draft of February 4, 2004 Page 1 of 1



FOR:

# COALITION PROVISIONAL AUTHORITY BAGHDAD

#### INFO MEMO

DATE February 3 2004

FROM:	Hinns.								
SUBJECT:	Ministry	Transition	Status Asse	essment					
As requested ministries for developed fit Affairs) who	or transition om discussi	to a sove	ereign gove CPA adviso	rnment ry team	The is (e.g.	approac Health,	h prop	osed here	has been
To ensure a	a seamless	transition,	we propo	se that	we w	vork wit	h CPA	advisory	teams to
- Mi-i	etarial randi	acce for trai	ncition						

We propose to implement this assessment by undertaking reviews of the readiness of all ministries through an interview process. We will ask for qualitative responses to the questions outlined on page 2 of the attached note and grade each ministry on a green-amber-red scale for ease of reference.

NSA
ŀ

THE ADMINISTRATOR

Resource (support) requirements post-transition Identification of risk areas for risk management

# PREPARING FOR TRANSITION TO IRAQI SOVEREIGNTY OVER THE MINISTRIES

#### Overview

- 1. The Transfer of Authority (TOA) on 1 July will terminate CPA's current role and that of its Senior Advisers. Planning for the transition needs to address two key objectives:
- To consolidate and extend progress made in establishing stable, functioning, effective Iraqi ministries.
- . To minimize the risk that the TOA interrupts critical services or processes
- 2. In planning to manage through TOA, it is assumed that:
- Transition to Iraqi sovereignty on 1 July means a fundamentally different relationship between Coalition partners and the Iraqi government. Specifically, future Coalition engagement with Ministries will need to have Iraqi consent. The Coalition will also want to demonstrate clearly the changed relationship with a sovereign nation.
- Ministers and some high level ministry officials will be political appointees subject to
  electoral changes potentially turnover soon after 1 July. At lower levels (ceiling to be
  decided) civil servants will be retained to ensure competent support for senior ministry
  leadership.
- 3. This paper suggests an approach to manage our planning for a successful transition. We need to assess three factors:

#### Readiness for transition

- Immediate check of each Ministry's status against several key development criteria, which
  not only measure objective position but also the level of Iraqi ownership
- · Senior Adviser assessment of minimum progress needed by 1 July and actions to deliver

#### Resourcing post-transition

 By 1 April, development of detailed proposal for level and type of support likely to be needed by each Ministry after 1 July, based on a common set of principles

#### Risk management

- Early identification and regular review of essential services or processes which are at
  greatest risk because proposed levels of external support are both high and are likely to be
  rejected by the relevant Iraqi Ministry or may not be available
- Executive Board should focus on minimizing the risks in these Ministries

#### Readiness of Ministries

4. An assessment of each Ministry's goals, organization and capabilities should be carried out by its Senior Advisers, using the following five headings. The assessment should have two categories. The first on groundwork progress and the second on the level of Ministry engagement and operationalization (e.g. with Minister, DGs, their direct reports etc). The Senior Advisers for Ministries under development need only assess against the first axis, but should explain their approach to securing Iraqi engagement. (Some Senior Advisors have in fact undertaken much of this assessment already in response to earlier guidance.)

#### Strategy

 Written strategy for Ministry, which covers organization purpose and plans for implementing prioritized list of short-term (1 year) and long-term (2-5 years) goals (first category). Ownership down through Ministry (second category).

#### Structure

 Ministry structure and staffing levels designed, which support organizational goals (first category). Progress in making appointments at DG level and tiers below. Inspector General offices established (second category).

#### Skills

Analysis of training/capacity needs completed (first category). Roll out in Ministry of
consequent management training programs down through senior and mid-level staff
(second category).

#### Systems

- Principles of coordination and communication with governorates clear (first category).
   Basic connectivity phones and e-mail links in place for key Ministry staff in regions (second category)
- Financial control and budgeting systems developed (first category). Consistent capability to pay all staff salaries (including pensions), get money from operating budgets to governorates and execute competitive contracts in a transparent manner (second category)
- Existence of personnel policies, ideally based on central template developed by CPA (first category). Proportion/level of Ministry staff with agreed job descriptions (second category).
- Adequate security plans (first category). Ministry payment of its FPS staff in agreed numbers and locations (second category)

#### Support

- Outline of areas where support will be needed by Ministry after 1 July or when Senior Adviser stands down, whichever is earlier (first category). Level of agreement down through Ministry (second category).
- 5. This assessment could be summarized in various ways using stoplights. One possible layout is attached as Annex 1. More detail could be provided on a sheet for each Ministry.

## Resourcing External Support to Ministries after 1 July

- 6. The actions suggested are to:
- Develop common principles across ministries to guide placement of "advisers" who will
  continue past the transfer to Iraqi sovereignty, and outline range of models for this
- Invite Senior Advisers to refine areas in which they and Ministries believe they need
  assistance after 1 July and recommend models and amount of that assistance. (An outline
  example for the Ministry of Defence is at Annex 2.)
- · Win CPA/coalition cabinet level approval to staff these "new" staff requirements.

#### Possible Principles

- Arrangements must recognize Iraqi sovereignty after 1 July, and be based on a common understanding of what this means (technical advisors are providing a service to the Iraqi ministries).
- Arrangements should be based on a needs analysis agreed with current Iraqi ministers and senior officials.
- Advisers should be there to help the Iraqis do their jobs, and should not replace top level Iraqi civil service advice to Ministers.
- Advisers placed in Ministries should not take permanent posts i.e. Iraqi jobs.
- While advisers will understand the aims and values of their sending government, they will
  generally operate with some independence (with some exceptions such as in the MoD).
- Foreign Governments should pay the total costs of providing and supporting their advisers.

#### Models

- embedding advisors in ministries to survive transition to Iraqi sovereignty
- offering external support from non-Iraqis employed elsewhere e.g. embassies
- inputs based on specific project management e.g. USAID

#### Management

- Each member of the coalition should decide for itself the relationship between its embedded advisors and its mission here in Iraq.
- Country lead, ministry by ministry, makes sense, based on comparative advantage.
   Similarly, the group of countries that can and wish to support advisory work will vary from ministry to ministry.
- Senior Advisers should make recommendations as to which countries should be involved, by ministry, and which should have the lead.
- 7. From the plans, the Executive Board should assess the risks that:
  - Iragis may reject Coalition presence in some Ministries after 1 July
  - Iraqis will value patronage appointments over merit appointments and turn over Ministry staff to a lower level than is healthy to long term success
  - Coalition home agencies will not support these personnel requirements
- 8. These risks may be mitigated by early action to:



#### Version February 4 2004

- · Plan with flexibility e.g. Iraqis may accept non-US or non-western advisers
- Champion a "new phase with new requirements" for the Iraqi effort. using US State Department, UK FCO etc for liaison.

## Risk Management for Essential Services and Processes

- 9. As well as carrying out these assessments for all Ministries, it will be important to identify those individual Ministries (or processes within all Ministries) where there is **both** a high risk of service interruption after 1 July **and** where this would lead to serious national or international consequences.
- 10. The Board and the Administrator will decide which Ministries or processes carry the most severe consequences of service failure. These Ministries are likely to include those responsible for Finance, Infrastructure, Security and some of the essential Public Services. The processes may include the establishment of secure mechanisms to pay salaries and to tackle corruption.

## ANNEX 2 EXAMPLE OF TRANSITION MODEL FOR MINISTRY OF DEFENCE

#### Context

- Ministry of Defense will be staffed with Iraqis no earlier than late March. For a ministry
  which has undergone such significant change, longer than three months of support in the
  form of mentoring will be necessary.
- Visiting US Department of Defence Security Assessment Team discussed this issue with CPA Director of Security Affairs on 17 January 2004.

## Approach Suggested by Director National Security Affairs:

- Provide a small number of the Iraqi MoD civil servants each a mentor (advisor). Place
  these as mentors to second or third tier ministry leadership.
- Recruit these mentors from sitting or retired appropriate levels within respective coalition ministries/departments. Not to be contracted.
- These advisors (mentors) need to be in place by late March/early April to minimize the chance they will be removed after June and provide the needed continuity through the transition period.
- Provide advisors for key positions such as National Security Advisor, Finance, Acquisition, Personnel.
- · Move quickly to request personnel to fill these new manpower requirements.
- Develop a central body to administer this program (reporting, admin/log support).
- Use a lead country (UK) model with multinational advisory team (e.g. UK, Spain, etc)

US advisors assigned to US misning

US MOT

MOD

MOD

#### **Build Justice**

**Key Task** 

POC

1 January - 31 March (Q1) 2004

1 April - 30 June (Q2) 2004

1 July - 30 September (Q3) 2004 - Onwards

Status Narrative

## 3 Build Justice



## 1

#### Establish independent judiciary

- Provide advice regarding judicial independence and structure, criminal procedural rights, and other constitutional advice as required.
- 2 Transfer administration and pay of judges from Ministry of Justice to Council of Judges. Assess needs by March 1.

Provide advice regarding judicial independence and structure, criminal procedural rights, and other constitutional advice as required.

Effect transfer by June 1.

Provide advice regarding judicial independence and structure, criminal procedural rights, and other constitutional advice as required. Awaiting opportunity to input re fundamental transitional law and constitution.

		Build Jus	tice	
у Та	1 January - 31 March (Q1) 2004	1 April - 30 June (Q2) 2004	1 July - 30 September (Q3) 2004 - On	PO wards Status Narrative
2	Reform Judicial System			
1	Central Criminal Court of Iraq self- sufficiency: Incorporate CCC into Transitional Law, with atternative case referral mechanism to enable referrals by either the Coalition or a designated Iraqi. Increase CCC throughput. Produce testimony from redeployed soldlers via VTC. Add 30 Coalition Investigators to assist in assembling evidence for various cases.	By June 30, CCC should handle 10 investigations, 5 trials per week.	Provide such assistance as new traqi gov't desires. Continue to provide evidence and testimony.	Addition of 30 investigators would be very helpful.
2	Physical security for criminal courthouses: Identify for fortification or relocation approximately 12 priority courthouses by Feb. 21.  Ascertain current FPS presence on courthouses by March 1. FPS TOA complete on March 1.  Prepare to assume FPS payroll by April 1.	Physical security for courthouses: Two U.S. Marshals should arrive by April 1, to begin assessing courthouses for security and recommend fortification plans or relocation. By June 30, the assessments and security recommendations should be complete and implementation begun. By April 5, break ground on first priority courthouse fortification projects identified in previous quarter. Throughout this quarter, continue to increase FPS force and presence to replace fraqi police.	Continue to fund and superintend implementation of U.S. Marshals' courthouse fortification and relocation plans.	We are seeking to conclude a memorandum of understanding with the U.S. Marshals service to supply 7 total marshals, of whom 2 would work on courthouse security. \$75M available from supp. for courthouse and judicial security.
3	Judicial Review Committee: Complete initial vetting and reappointments by March 1.	Judicial Review Committee: All appeals from removal by the Committee will be adjudicated by June 30. The Committee will remain available during this quarter for special cases, review	Judicial Review Committee functions will be assumed by fraquudicial Supervisory Council.	About 90% of estimated 850 judges and prosecutors reviewed. As of 2/6/04, hearings have been held on 509. About 160 have been removed, of which 141 have appealed.

		Build Jus	tice	
еу Та	<b>sk</b> 1 January - 31 March (Q1) 2004	1 April - 30 June (Q2) 2004	1 July - 30 September (Q3) 2004 - On	P( wards Status Narrative
	•	of judges as to whom new evidence or complaints arise.		
4	Court-appointed defense counsel: Work with Council of Judges and mointor courts to ensure appointment of defense counsel for all misdemeanor and felony defendants.	Court-appointed defense counsel: Design and conduct two- or three- day training courses for defense counsel. Work with Council of Judges to design and implement mandatory qualification test.	Court-appointed defense counsel: Continue training defense counsel, providing advice to Council of Judges regarding qualification standards, selection processes, etc.	CPA Order 52 promulgated in Januar enables the Council of Judges to increase defense counsel fees and paretroactive defense-counsel fees, whi should increase the number of defendants represented. Appointmer still sporadic but this should improve fees increase and amounts due for services already rendered are paid. Implementation beyond Baghdad will depend largely on regional Ministry of Justice personnel.
5	Training for judges and prosecutors to inculcate norms of due process, human rights, and rule of law: During this quarter, classes from the International Law Assistance Consortium (ILAC) will be held regarding international human rights law (Feb. 26), judicial independence (March 19).	Training for judges and prosecutors to inculcate norms of due process, human rights, and rule of law: ILAC courses on international humanitarian law (April 10), international human rights law (April 30). One additional ILAC course on international humanitarian law will be held during this quarter. Additionally, the U.S. Department of Justice Overseas Prosecutorial Development and Assistance Training program (OPDAT) will conduct five "quick-start" training courses on CPA directives, due process, human rights, and rule of law beginning April 1, each with about 40 criminal judges and prosecutors.	Devise a comprehensive training curriculum with the Council of Judges and begin to implement; OPDAT "quick-start" classes continue; ILAC and other NGO classes to continue also. By January 1, 2005, all 400 criminal judges and prosecutors should have received at least some training.	ILAC courses aiready scheduled, attendees stated.
6	Establish organization in Ministry	Two U.S. Marshals should arrive	Continue providing technical	We are seeking to conclude a

Build Justice						
(ey Ta	1 January - 31 March (Q1) 2004	1 April - 30 June (Q2) 2004	1 July - 30 September (Q3) 2004 - One	POC vards Status Narrative		
	of Justice to provide personal security for 400 criminal judges and prosecutors: 500 PSD guards trained.	by April 1 to to help set up judicial protection service in Ministry of Justice. By June 30, the service should be established and protecting several dozen judges.	assistance. By January 1, 2005, all 400 judges and criminal prosecutors should be protected.	memorandum of understanding with the U.S. Marshals service to supply 7 total marshals, of whom 2 would work on personal judicial security. \$75M available from supp, for courthouse and judicial security.		
7	Expedite detention-to-trial time by consolidating police lock-up and pre-trial detention centers, hiring more court investigators.	Continue to shorten detention-to- trial time significantly (on the order of 1 month) by consolidating police lock-up and pre-trial detention centers, hiring more court investigators. Formulate long-term plan.	Offer such assistance as the Ministry and Council of Judges request.			
8	Establish witness-protection organization in Ministry of Justice: Conclude memorandum of understanding with U.S. Marshals to provide 3 marshals to set up this service.	By April 1, three U.S. marshals should arrive to help set up this organization. By June 30, the organization should be capable of temporarily protecting witnesses and should have formulated a plan for long-term protection, including relocation.	By January 1, 2005, the witness- protection service should be operating at full capacity in support of the Iraqi Special Tribunal, the Commission on Public Integrity, and ordinary criminal courts.	We are seeking to conclude a memorandum of understanding with the U.S. Marshals service to supply 7 total marshals, of whom 3 would work on witness protection. \$40M available in supp.		
9	Implement basic court-police- prisons communications system,	By April 15, formulate plan and begin implementation for instantaneous communications between police, courts, and prisons.	Continue assistance with supplemental funds. By January 1, 2005, a fully functioning system should be operating without Coalition support.	Extensive coordination with Ministry of Interior, Prisons Dept. required		

1 January - 31 March (Q1) 2004

1 April - 30 June (Q2) 2004

1 July - 30 September (Q3) 2004 - Onwards

Status Narrative

## 3 Improve the penal system

Continue to implement strategy: Assign up to one hundred three (103) contracted civilian prison experts to direct operations at multiple prison sites nationwide. Develop national policy orders to implement inmate work, exercise, and education programs at all facilities. Institute a specialized departmental inmate transportation system to enhance prisoner transportation functions. Develop work-release, probation, parole programs.

Contracted civilian prison experts provide on-site direction, training and supervision to Iraqi Corrections Service staff members in operating prisons. Coordination with courts enhanced by the operation of a centralized inmate transportation system within the Iraqi Corrections Service.

Iraqi Corrections Service staff members assume control of prison system with intense monitoring and technical oversight by contracted civilian prison experts. January 2004: Long-awaited contracted civilian prison experts are slowly beginning to arrive and being assigned duties as correctional trainers and facility-level administrators beginning in the greater Baghdad area and then expanding nationwide. Extreme lack of qualified Iraqi staff suggests hand-over of operational control on Juty 1 could have severe adverse consequences.

2 Complete renovations of six facilities initiated during 4th quarter of CY03 using remaining CY03 construction/major renovations budget funds, adding approximately 5,000 beds and creating more than 1,800 prison-related jobs. Initiate renovation of multiple prisons and detention centers with anticipated CY04 supplemental funds.

Refurbish 22 facilities with a capacity of 5,600 and create at least 4,000 prison staff jobs.

Maintain a professional presence to assist the Iraqi Corrections Service in keeping facilities operating at an international standard. Renovations are on-going and new projects are close to initiation at various facilities nationwide.

3 Initiate construction of three new secure prison facilities with a total of 3,000 beds to be completed by December 2005 creating at least 800 prison staff jobs. Oversee the ongoing construction projects for three secure prisons. Target date for completion of these projects is December 2005.

Provide project management of new prison construction to ensure FY04 Supplement funds are expended properly and in a timely manner to provide 3,000 prison beds. \$100M in US Supplemental funds were approved in FY04 for maximum-security prisons for the Iraqi Corrections Service. Project development is underway and the initiation of actual construction is anticipated by May 2004.

Build Justice							
Key Ta	1 January - 31 March (Q1) 2004	1 April - 30 June (Q2) 2004	1 July - 30 September (Q3) 2004 - Onward	P(			
4	March 2005, 50% of existing prisons compliant with UN standards; Sept 2007, all prisons compliant with UN standards.	June 2004: 75% of existing prisons compliant with international prison standards	civilian prison experts and facility renovations to ensure facilities are operated and maintained in accordance with acceptable international standards.	Project management activities are on- going to accomplish major renovations in existing prisons and plan new construction in accordance with international prison standards. All trac Corrections Service staff members receive initial pre-service as well as or going in-service training in human rights standards. On-site civilian prisor facilities and advise ICS leadership or proper operational policies, procedure and practices to ensure continual compliance.			
5	Continue to provide security equipment and vehicles for renovated detention and prison facilities. Receive new equipment purchased and/or donated for the fraqi Corrections Service (ICS) and assimilate new items into operational practices. Specialized equipment and operational components, for example, inmate transportation services, are incorporated into daily operational activities.	Continue to enhance training of staff members on technological capabilities and use of new security equipment. Continue to install integrated communications as well as data acquisition and storage systems.	Ensure appropriate maintenance capability remains functional and the ICS retains the capability to	Both purchased as well as donated vehicles and security equipment are arriving regularly and allocation to the required locations is on-going.			
6	Continue to recruit and train traque officers to operate reactivated facilities as well as actively involve the on-site civilian prison experts in employee mentorship and directed training of leadership staff.  Renovate a new headquarters for the ICS and national department-	Achieve a total of 10,000 ICS staff.	a professional corrections officer and senior administrative staff at all levels of the organization. This is an by-product of the mission of	Renovation of the new national headquarters building complex for the lraqi Corrections Service is close to completion with a target completion date of 01FEB04. The training academy is in operation and expansi of this process is in the development stage.			

		Build Jus	tice	
Ta	sk			POC
	1 January - 31 March (Q1) 2004	1 April - 30 June (Q2) 2004	1 July - 30 September (Q3) 2004 - On	wards Status Narrative
	level staff operations.			
7	Expand the core curriculum for the training academy program and institute mid-management training program for selected supervisors.	Implement additional professional training opportunities for existing Iraqi Corrections Service staff members.	Ensure the continuation of professional training via the expertise of the civilian prison experts throughout the Iraqi Corrections Service operation.	The first professional prison trainers and curriculum directors began arriving in early Jan04 and developments are steadily improving the quality of training
	Complete the appointment of the ICS senior executive management team and institute a specialized mentor training program.			
4	Establish Commission o	n Public Integrity		
1	Legislation establishing Commission passed by Governing Council in late January. Name Commissioner as soon as possible. Acquire personnel and programmatic materials from INL, OPDAT, ICITAP. Begin hinng, vetting, training Iraqis by March 15.	Begin first investigations by April 15. Make first arrest by April 30. Begin first trial by June 1.	Continue to provide training and lechnical assistance.	Crisis personnel shortage: Only two of approved 31 Coalition personnel have arrived; none have been identified in the pipeline. Critical to get Commission up and running before June 30 lest it be abolished. A handful of potential nominees for initial Commissioner have been presented to Governance to discuss with the Governing Council. Without an immediate emergency influx or reallocation of staff, the Commission will not get off the ground.
5	Solidify real property rig	hts		
1	Assess status of property ownership, records, quieting and transferring title by end of March.	By April 15, propose changes needed to ensure firm real property rights; seek required equipment and technical assistance. By May 15, enact needed changes into law.	Offer technical assistance to modernize property ownership records.	Lack of qualified staff had prevented significant action on this front. CPA Ministry of Justice has now assigned a staffer to this subject, and hopes to make significant progress before the transition.

Ministry of Justice Priorities through June 30, 2004	Coalition personnel required	Funding required	Other support required	Timeline through June 30, 2004	Follow-on goals (hrough January 1, 2005	Timeline June 30, 2004 - January 1, 2005	Old strategic plan element
Establish the Commission on Public Integrity to investigate and "prosecute" corruption at all levels of government	31 (14 military, 17 civillari, 0 en roufe– INL and OPDAT to provide names beginning next week)	\$20M earmarked from PMO for Iraqi budget, \$5M from supplemental for Coalition staff, \$5M for witness protection from supplemental	Surveillance equipment, special trainers for brief targeted training sessions and on the job training	January 28; Commission established by Governing Council  March 15: Begin hiring, training Iraqis  April 15: Begin investigations  April 30: First arrest  June 1: First trial begins	Provide technical advice and training		35.1
<ol> <li>Judicial Review Committee: Complete judicial &amp; prosecutorial vetting, removal, reinstatements</li> </ol>	3 (in place) until June 30, 1 after June 30			March 1. Complete Initial verting, reappointments finished  March 2 - June 30; JRC available for new cases, "clean-up" of loose ends  June 30: All appeals resolved, JRC dissolves, its functions assumed by Iraqi Judicial Supervision Committee	Provide regular anti-corruption advice to the fragi Judicial Supervision Committee, laise with Commission on Public Integrity		3.23
Establish organization in Ministry of Justice to provide personal security for 400 criminal judges	2 U.S. Marshals (should arrive by April 1)	\$75M (including physical cthse security, provided in supp.)	\$25M in vehicles, weapons, armor, etc.	Completed: Training 500 PSD guards.  June 30: Establish personal security organization in Ministry; several dozen judges guarded by PSDs.	Continue to implement security plan for judges and prosecutors	January 1, 2005: All 400 criminal Judges and prosecutors protected by PSO guards	3.2.7
Physical security for criminal courthouses	2 U.S. Marshals (should arrive by April 1)	\$75M (including physical othse security, provided in supp.)	\$10M in weapons, armor, etc.	February 21: Identify for fortification or relocation approximately 12 priority courthouses  April 5: Break ground on 12 priority courthouses  April 6: Bregin nationwide courthouse assessments with U.S. Marshals  June 30: Adequate FPS on all criminal others, refurblishment or relocation assessments completed	Continue to implement FPS and refurbishment or relocation of criminal othics		3.22
5. Establish organization in Ministry to profect witnesses.	3 U.S. Marehals (should arrive by April 1)	\$40M (provided in supp.)	Will depend upon Marshals' analysis	Jure 30. organization established capable of temporarily protecting witnesses, plan formulated for long-term protection, including relocation	Continue building witness protection program	January 1, 2005: witness protection program operating at full capacity for felony and ISY cases	3.2.2
<ol> <li>Court-appointed defense counsel available to all fellony and misdemeanor defendants</li> </ol>	1 in Baghdad (in place), pus 18 governorate (or four regional) advisors possibly LSQ	\$2.7M (provided in Iraqi budget)	NGO assistance, e.g. CEELI, ILAC	June 30: ensure court-appointed and -funded defense counsel available to all felony and misdemeanor defendants; two- or three-day training courses underway	Continue building program; implement mandatory qualification test	January 1, 2005: Fully functioning program with written, impartial selection guidelines and a mandatory qualification test.	3.2.4
Transfer administration and pay of judges from Ministry to Council of Judges				March 1: Needs assessed June 1: Transfer effected			

Ministry of Justice Priorities through June 30, 2004	Coalition personnel required	Funding required	Other support required	Timeline through June 30, 2004	Follow-on goals through January 1, 2005	Timeline June 30, 2004 - January 1, 2005	Old strategic plan element
5. Solidify real property rights			Computer equipment, technical training	April 1: Assess status of property ownership, records, quieting and transferring title April 15: Propose changes needed to ensure firm real property rights, seek required equipment and technical assistance.  May 15: Needed changes enacted into law			3.6.1
9, Central Criminal Court self-sufficient	3 (in place)		Investigative, transportation come cooperation from Coalition forces, traqi Police FRAGO requiring and standardizing proper Coalition collection, maintenance of evidence Appoint Prosecutions Targeting Officer to Joint Intel Fusion Cell 30 new Iraqi investigators VTC facilities	Feb. 15: CCC incorporated into Transitional Law, with alternative case referral mechanism so cases can be referred by Coulition or a designated Iraqi.  June 30: CCC handling 10 investigations, 5 trials per week.	CCC operating independently, receiving case referrals from Coalition and trages, support evidentiary and some investigative coordination with Coalition		
tó. Initiate plan to expedite detention-to- rial time	2 in Baghdad (1 in place), plus 18 governorate (or four regional) advisors possibly LSO		Coordination with prisons  Transportation support from Interior  Iraqi Police compliance	June 30, Plan formulated and implementation initiated to decrease investigation-to-trial time significantly, on the order of a month		Continued implementation of plan significantly to decrease investigation to-trial time	3.2.7
Implement basic court - police - prisons communications system		\$75M (including pers. and physical other security, provided in supp.)	Radios, landlines, salelite equipment	April 15: Plan formulated and implementation initiated for instantaneous communications between courthouses, police, prisons		January 1, 2005; fully functioning court-police - prisons communications system operating without Coalition support	3.2.7 3.4.5

Ministry of Justice Priorities through June 30, 2004	Coalition personnel required	Funding required	Other support required	Timeline through June 35, 2004	Follow-on goals through January 1, 2005	Timeline June 30, 2004 - January 1, 2005	Old stratogic plan element
12. Comprehentive fraining course developed and achedused for all judges and prosecutors	2 (in place), plus ILAC OPDAT, other intif trainers	A few million S, already supplied by OFID (UK USAID)		Feb. 28: ILAC course in international human rights law for 17 judges, 9 prosecutors, and 41 attorneys completed.  March 19: ILAC course in judicial independence for 49 judges completed.  April 1: OPDAT "quick-start" training begins, each class with 40 criminal judges and prosecutors, to familiarize with CPA directives, int'l due process and rule of law norms.  April 10: ILAC training in international humanitarian law for unknown number of judges, prosecutors, and attorneys completed.  April 30: ILAC course in international humanitarian law for 10 judges, 5 prosecutors, and attorneys completed.  June 30: Additional ILAC course in international humanitarian law completed, ILAC train-the-trainer program for unknown number of judges, prosecutors, and attorneys completed, ILAC professional regulation training provided to Iraqi bar association, five OPDAT "quick-start" training sessions conducted and more scheduled, each with 40 criminal judges and prosecutors; compretensive training program developed and scheduled.		January 1, 2005: all criminal judges and prosecutors completed "quick-start" training, comprehensive training program developed, schedulind, and delivery initiated, including civil and commercial law	3.25
13. Legal Gazette printed every two weeks by Iraqi MoJ press	1 liaison from Ministry of Justice, 1 action officer from Office of General Counsel		Translation support from State Dept. or decision to accept indigenous translations	March 15: Gazette printed fortnightly without Cosilikon assistance	Gazette published with no Coalition assistance		
14. Constitutional advice	(None additional)			Provide advice regarding judicial independence and structure, criminal procedural rights, and other constitutional advice as requested			3,1,1

PRIORITY	FEB	MAR	MINISTRY OF JUSTICE TIMELINE APR	MAY	41 m 1	JAN '05
Establish the Commission on Public Integrity to investigate and "prosecute" corruption at all levels of government		15: Begin hiring, training Iraqis	15: Begin investigations 30: First arrest		1; First that begins	***
Judicial Review     Committee Complete judicial & prosecutorial vetting, removal, reinstatements		1: Complete initial vetting; reappointments finished			30: All appeals resolved; JRC dissolves, its functions assumed by traqi Judicial Supervision Committee	vri
Establish organization in Ministry of Justice to provide personal security for 400 criminal judges					30: Establish personal security organization in Ministry, several dozen judges guarded by PSOs	All 400 criminal judges and prosecutors protected by PSD guards
Physical security for criminal courthouses	21: Identify for fortification or relocation approximately 12 priority courthouses		1: 2 U.S. Marshals arrive to perform assessments and render technical assistance 5: Break ground on 12 priority courthouses 6: Begin nationwide courthouse assessments with U.S. Marshals		30: Adequate FPS on all criminal cthses; refurbishment or relocation assessments completed	
5. Establish organization in Ministry to protect witnesses			1: 2 U.S. Marshals arrive to perform assessments and render lechnical assistance		30: organization established capable of temporarily protecting witnesses; plan formulated for long-term protection, including relocation	witness protection program operating at full capacity for felony and IST cases
Court-appointed defense courset available to all felony and misdemeanor defendants					30: ensure court-appointed and -hunded defense counsel available to all felony and misdemeanor defendants; two- or three-day training counses underway	Fully functioning program with written, impartial selection guidelines and a mandalory qualification lest.
7. Transfer administration and pay of judges from Ministry to Council of Judges		1: Needs assessed			1: Transfer effected	
8. Solidify real property rights			1: Assess status of property ownership, records, quieting and transferring title 15: Propose changes needed to ensure firm real property rights; seek required equipment and technical assistance	15: Needed changes enacted into law		

PRIORITY	FEB	MAR	APR M	AY JUN	JAN '05
Central Criminal Court setf-sufficient	15: CCC incorporated into Transitional Law, with alternative case referral mechanism so cases can be referred by Coalition or a designated Iraqi			30: CCC handling 10 investigations, 5 trials per week	
10. Initiate plan to expedite detention-to-trial time				30: Plan formulated and implementation initiated to decrease investigation-to-trial time significantly, on the order of a month	
Implement basic court     police - prisons     communications system			15: Plan formulated and implementation initiated for instantaneous communications between courthouses, police, prisons		fully functioning coupolice - prisons communications system operating without Coalition support
12 Comprehensive training course developed and scheduled for all judges and prosecutors	26: ILAC training course in international human rights law for 17 judges, 9 prosecutors, and 41 attorneys completed.	19: ILAC course in judicial independence for 49 judges completed.	1: OPDAT "quick-start" training begins, each class with 40 criminal judges and prosecutors, to familiarize with CPA directives, int'l due process and rule-of-law norms  10: ILAC training in international humanitarian law for unknown number of judges, prosecutors, and attorneys completed.  30: ILAC training course in international human rights law for 10 judges, 5 proscutors, and attorneys completed.	30: Additional ILAC course in international humanitarian law completed; ILAC train-the-trainer program for unknown number of judges, prosecutors, and attorneys completed; ILAC professional regulation training provided to Iraqi bar association, live OPDAT "quick-start" training sessions conducted and more scheduled, each with 40 criminal judges and prosecutors; comprehensive training program developed and scheduled	
13. Legal Gazette printed every two weeks by Iraqi MoJ press		15: Gazette printed fortnightly without Coalition assistance			
14. Constitutional advice					Provide advice regarding judicial independence and structure, criminal procedural rights, and other constitutional advice as requested

Exec Bd Htg 1 Feb 04

# STRATEGIC PLAN STATUS CHECK (as of 30 Jan 04)

# Summary by Core Foundation

## Security

Mol and CJTF7 update ongoing

### **Essential Services**

- · No plan update from Electricity.
- · Rewrite of Comms and Industry & Minerals ongoing.
- · Anticipate OFF Milestones and Key Tasks

#### Economy

· Re-assessing SOE strategy in light of recent political decisions.

### Governance

No change

### Strat Comms

• Focus remains Governance - Electric, Education and Health campaigns will start when more resources currently working governance are available.

## Reds by Trend

No change to Reds as reported last week - see attached

# Significant Ambers by Trend

### Personnel

- Trade loosing critical personnel no replacements does this apply across other Ministries?
- Security Obj 3, KT 2, ST 1 By mid-February, staff will be down to 7
  Coalition personnel in the Ministry of Justice. No replacements identified
  despite repeated requests, including requests-by-name of lawyers eager to
  come to Iraq as justice advisors.

- Security Obj 3, KT 4, ST 1 January 2004: Long-awaited contracted civilian prison experts are slowly beginning to arrive and being assigned duties as correctional trainers and facility-level administrators beginning in the greater Baghdad area and then expanding nationwide. Extreme lack of qualified Iraqi staff suggests hand-over of operational control on July 1 could have severe adverse consequences.
- Governance Obj 5, KT3, ST1 ...... International forensic teams to exhume evidentiary sites to arrive in early Feb. Need more international teams to commit.
- Governance Obj 5, KT2, ST2 Evidence storage facility under construction; evidence custodian to arrive in Jan. Only 2 international investigators additional are needed.

# Security

 Governance Obj 5, KT2, ST6 - Physicians for Human Rights was supposed to provide such counseling in Oct, Nov and Dec but cancelled......

# Status Report by Key Tasks

Objective Key Task Objective Status

**Key Task Status** 

# Security

Amber

3 Build Justice

Amber

6 Standardize and modernize land ownership records and tracking system

Red



Develop and implement plan.

Lack of qualified staff prevents significant action on this front. CPA Ministry of Justice trying to hire an expert in this field currently assigned to the Ministry of Trade.

	Objective Key Task		Objective Status Key Task Status
Ess	ential Services		Ambei
2	Reconstruct Communications and Postal Systems	s and Introduce Advanced Technologies	Green
7	Migrate ITPC to GAAP with Pilot Enterprise Systems Co	apability	Red
Issue	e Tender for Postal System Automation	First Iraqi stamps issued and distri	bution initiated 1/15.
Facili	ities Protection Services roll-out for ITPC	Mol identified need to provide equitraining for ITPC FPS personnel. Continued and verifying total requirements. Mower work with MoF and MoC to identify resources.	urrently identifying loC is attempting to
Initia	ting Planning for Zip Code System for Iraq		
Acqu	uire automated sorting and delivery equipment.	SOW expected to be completed this supplemental funding for procuren	

	Objective		Objective Status
	Key Task		Key Task Status
Stra	tegic Communications		Amber
1	Foster a professional Iraqi media industry which operate reporting and freedom of speech.	es under the conventions of unbiased	Amber
1	Establish IMN as the popular, professional and reliable media	network that Iraqis support.	Red
- Prej	pare for contractor hand-off from SAIC to Harris Corp.	Contract newly awarded. Estimate s new contractor (Harris Corp) transiti	
- On	going polling and audience assessment efforts		
2	Support Security with a robust communications campaig	gn	Red
2	Police communication and information campaign		Red
Deve	lop recruiting campaign for Police and FPS	Task is Red due to diversion of asse communications campaign. Will shi	
Mate	rials distribution for recruitment campaign	effort approx 1 FEB 2004.	

# Ministry of Electricity Milestones

MAR '04 **JAN '04 FEB '04** MAY '04 JUN '04 JUL '04 **APR '04** Ministry of Electricity Spring Maintenance Program ends. Spring Maintenance Program begins. Generation maintained at 4,200 MW and 90,000 MW-hours USAID II awarded. Begin residential Publish long term Iraqi Government billing. strategy. takes power. TFRIE transitions into Complete TOA from FPS to EPSS. Complete TOA from FPS to EPSS. Gulf Region Division. Plan for main PMO through Spring Generation exceeds 6,000 MW, 120,000 CPA dissolves. projects complete Maintenance. MW-hours. Early Action PMO projects defined, funding requests Preliminary Master Plan development PMO contractors Main PMO contractors Bechtel completes rebuild of Nasiriyah-Khor Zubair 400kV selected. begin work on sites. reviewed. completed. Five 400kV lines line. Generation exceeds Inspector General in completed by GRD. 4,000 MW and 88,000 MW-hours. place. Generation exceeds Generation maintained at 4,200 MW and 4,500 MW, 94,000 MW-hours. Publish infrastructure Security Plan. 90,000 MW-hours through Spring Revised Allocation Maintenance. Policy published. Develop and initiate information campaign to support allocation policy. Generation exceeds 4,200 MW and 90,000 MW-hours.

# Strategic Plan Key Tasks

# "Provide electricity services that meet national needs."

Task No.	Status Now	Recent Trend	Key Tasks	Remarks	Expd Status June 30
1	Α	1	Improve generating capacity to 6,000 MW (from 3,200 – 3,500 MW in July '03) by 1 July 2004.	Generation for 28 Jan at 4,112 MW peak, 87,486 MW-hours total.	Α
2	Α	1	Fully implement policy on allocation of electrical power, through fair load shedding for domestic and commercial consumers.	Focal points are Baghdad, southern governates.	G
3	Α	$\Leftrightarrow$	Publish Electricity Sector Strategy document.		G
4	А	1	Minimize sabotage and improve security.	Contracted security for rebuilding transmission lines goes away in Feb and March.	G

# Crosswalk and Status Improve Generating Capacity to 6,000 MW

Task No.	Status Now	Recent Trend	Key Tasks	Remarks	Expd Status June 30
Impro	ve gener	ating cap	acity to 6,000 MW (from 3,200 - 3,500	MW in July '03) by 1 July 2	2004.
1.1	Α	1	Bring online 900 MW of new generation between January and June 2004.	Northern Industrial site generators now producing 64 MW.	А
1.2	Α	1	Increase capacity of existing units (in place before January) to 5,000 MW by June 2004 through maintenance and rehabilitation programs.	SDMO units now producing 145 MW.	A
1.3	Α	$\Leftrightarrow$	Increase imports by 300 MW between January and June 2004.	Transformer repair/replacement required in Zahko. Work on new line from Kuwait beginning.	G

# Crosswalk and Status Implement Fair Electricity Allocation Policy

Task No.	Status Now	Recent Trend	Key Tasks	Remarks	Expd Status June 30
-	implemer nercial cu		n allocation of electrical power, through	n fair load shedding for dom	estic and
2.1	A	1	Rewrite, obtain approval and publish revised allocation policy prior to 29 February 2004. Accompany revised policy with information campaign.	Policy revisions address increases in available power, increased industrial demand and specific regional concerns.	G
2.2	Α	1	Improve intelligence-gathering mechanisms and reporting systems for power availability at the customer level.	Commenced detailed survey of Baghdad distribution system.	G
2.3	Α	1	Enforce load shedding between governates primarily through Ministry of Electricity channels.	Issues primarily in south.	G
2.4	Α	1	Improve Baghdad low voltage distribution systems and remote controls.	Ma'ari substation rehab completed 24 Jan 04.	G
2.5	Α	1	Repair six key 400kV transmission lines before June 2004.	One of six lines energized.	G

# Crosswalk and Status Draft Long Term Strategy

Task No.	Status Now	Recent Trend	Key Tasks	Remarks	Expd Status June 30
Publis	sh Electri	city Secto	r Strategy document.		
3.1	А	1	Receive preliminary Bearing Point work before 15 Feb 04.	Reviewed initial input.	G
3.2	A	$\Leftrightarrow$	Develop and publish technical Master Plan prior to 31 May 04.	Work ongoing, concentration on transmission grid.	G
3.3	А	$\Leftrightarrow$	Develop and publish long-term strategy for the Ministry of Electricity prior to 15 Jun 04.	Cost of service, billing structure, accounting practices, organizational structure.	G
3.4	Α	$\Leftrightarrow$	Establish the Ministry of Electricity Inspector General Office prior to 29 Feb 04.	Looking at new candidates.	G

# Crosswalk and Status Minimize Sabotage and Improve Security

Task No.	Status Now	Recent Trend	Key Tasks	Remarks	Expd Status June 30
Minim	ize sabo	tage and	improve security.		
4.1	Α	1	Develop and implement electricity infrastructure security plan before 29 Feb 04.	Plan must combine EPSS/CJTF-7/contractor security efforts.	G
4.2	Α	1	Complete Transfer of Authority at FPS sites by Mar 04.	Verifying payroll for all MSC sites.	G

Status Report by Key Tasks			
	Objective Key Task	Objective Status Key Task Status	
Sec	urity	Ambe	
1	Achieve a Secure and Stable Environment	Amber	
4	Deter external aggression and subversion	Amber	
Continue. (CJTF-7) Begin to transfer external security responsibility from CJTF-7 to Iraqi Ministry of Interior. Border policy being further refined. Ar Ar border crossing online for Hajj influx.		CJTF-7 continued border security operations in December. Engagement with neighboring countries will lead to increasing cooperation on border control. Hajj planning continues to facilitate the movement of pilgrims. As of 1-25-04 4000+ people had been moved successfully across the border.	
	matic efforts to discourage external subversion.		
5	Eliminate munitions caches, unexploded ordinance and ex-	cess military equipment Amber	
iragis	sfer responsibility for munitions caches elimination to s. (CJTF-7) Have 6 sites operating at full capacity by of January.	Two demilitarization sites are fully operational (receipt, storage, and collection), two are partially functional (receipt and storage), and two have an initial operational capability but are not operating daily.	

	Objective		Objective Status
	Key Task		Key Task Status
2	Public Safety: Develop Institutions that are Effective in Pr Order	otecting Society and Constitutional	Amber
1	Develop and apply consistent vetting policies and processes		Amber
Com	munity based DeBa'athification program ongoing.	A review of options has been written PRB funding issues are to be resolv	
3	Create an Effective and Accountable Police System		Amber
Enforce Order that holds police accountable for actions that violate human or civil rights.  Continue to build community institutions that take effective actions to address accountability issues.		Tripartite system adopted. Police re assessed by the GC. Strategy for de international police advisors develop	ployment of
		identified in MOI structure awaits appointment.	
	blish a public information capability within the IPS by early 31 2004.		

Train Iraqi counterparts to be responsible for quality control, evaluation and development of new courses to be offered.

Continue to develop indigenous training capacity through delivery of IDC programs for IPS. Begin Command and Supervision courses and plan advanced and specialized courses.

Deploy additional international coalition police trainers to training academies in Iraq - 200+.

Achieve full training capacity in all three basic recruit training academy sites - a total of up to 5000 students in basic training at any one time.

Have a minimum of 1,000 IPTF members in-country assigned with personnel in all regions of Iraq as dictated by deployment scheme of new cadets.

Strategic plans being adjusted to meet the evolving needs on the ground.

Continue repairs, refurbishment of police stations.

Acquire remaining equipment for IPS as funding is made available.

On Track

Senior management and staff training is developing.

Recruitment held up due to contract issues and availability of Supplemental Budget funds.

Some delays in training due the difficulty of moving international trainers into Iraq.

Statements of Work being developed by Centcom logistics team for the repair of police stations.

In addition, the team is creating a sustainable purchasing and logistics plan that will facilitate contracting, delivery and distribution of equipment ordered for IPS, FPS and DBE.

Objective	Objective Status
Key Task	Key Task Status
Confirm Iraqi policing legal framework by January 31, 2004, identify needs for reviews to ensure compliance with huma rights standards. Assist Iraqi MOI in developing administrative procedures to implement civil service procedures and work protection.	
Appoint IG and stand-up Internal Audit capability by end January 2004.	
Implement civilianization plan.	Delayed but ongoing. Course correction being considered and revised needs assessment completed. Ongoing consultation with COO office is contributing to a revised and focused plan.
7 Develop Effective Border Security	Amber
Continue training. Transfer of Authority border control to MOI, DBE has begun and the upper management are going out to outlying areas and reporting back to the Baghdad authority. (CJTF-7/CPA).	4.5M\$ needed for construction to meet TOA dates.
8 Develop emergency management command and co rescue and emergency medical assistance in the en	entrol system for Iraq that can coordinate police, fire, vent of a natural or manmade disaster.
Install communications infrastructure and equipment, to include (but not limited to) hand-held radios, base stations, repeaters, communications towers, with associated installation, training, operations and maintenance costs.	On track

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Objective		Objective Status	
	Key Task	Key Task Status	
3	Build Justice	Amber	
2	Reform Judicial System	Amber	

Continue to implement and monitor appointment and compensation of attorneys for indigent criminal defendants.

Reform the curriculum and the admission procedures of the Judicial College to inculcate norms of due process, rule of law, judicial review, judicial independence, judicial ethics, human rights.

Encourage and make more efficient the adjudication of major felonies through the regular court system. This entails providing security for judges, prosecutors and witnesses (especially as regular courts are called on to adjudicate crimes against humanity), encouraging coordination between police and courts, and appointing more investigative judges.

Defense counsel appointments being made sporadically because attorneys not being paid and defendants not physically appearing in court (with judges conducting "initial appearances" by reviewing only the defendant's paper file). Efforts underway to redress both problems.

Discussions undertaken with director of Judicial College toward accomplishing this task. Discussions will continue. Guarded optimism is warranted that reforms will be implemented in 2004. For example, the director has agreed to institute a new course on human rights for the current group of 32 students.

Underway. Security remains extremely problematical. There have been approximately 300 criminal trials in Iraq since the end of the war, 70 of which were felony trials. The pace has quickened as more investigative judges have been appointed—34 in Baghdad, versus a prewar 12.

Develop ability to investigate and prosecute terrorism and organized crime cases.

Ministry of Justice has formed a major crimes unit to cultivate special expertise in investigating serious crimes, although investigations have not begun. The Central Criminal Court also investigates serious crimes. The Commission on Public Integrity will investigate corruption.

### 4 Improve the penal system

Complete renovations of six facilities initiated during 4th quarter of CY03 using remaining CY03 construction/major renovations budget funds, adding approximately 5,000 beds and creating more than 1,800 prison-related jobs. Initiate renovation of multiple prisons and detention centers with anticipated CY04 supplemental funds.

Continue to provide security equipment and vehicles for renovated detention and prison facilities. Receive new equipment purchased and/or donated for the Iraqi Corrections Service (ICS) and assimilate new items into operational practices. Specialized equipment and operational components, for example, inmate transportation services, are incorporated into daily operational activities.

Amber

Renovations are on-going and new projects are close to initiation at various facilities nationwide.

Both purchased as well as donated vehicles and security equipment are arriving regularly and allocation to the required locations is on-going.

# Objective

Key Task

**Objective Status** 

**Key Task Status** 

Continue to recruit and train Iraqi officers to operate reactivated facilities as well as actively involve the on-site civilian prison experts in employee mentorship and directed training of leadership staff.

Renovate a new headquarters for the ICS and national department-level staff operations.

5 Establish Anti-corruption Program

Coalition personnel arrive in Iraq, identify and vet Iraqi staff, assemble curriculum, have law establishing Commission on Public Integrity enacted by Governing Council, begin training and operations.

Renovation of the new national headquarters building complex for the Iraqi Corrections Service is close to completion with a target completion date of 01FEB04. The training academy is in operation and expansion of this process is in the developmental stage.

Amber

Draft order under discussion with Governing Council
Anti-Corruption Committee. Personnel plan and
timeline complete, but timing for arrival of personnel in
doubt.

rvices Electricity Services that Meet National Need	le	Ambe
Electricity Services that Meet National Need	le	
	10	Amber
generating capacity to 6,000 Megawatts (from 32)	00-3500 in July '03) by 1 July 04	Amber
DMW (nameplate) DMW (nameplate) DMW Rehab: 126MW Sites: 76MW BBMW SI 184MW W SMW ZEMW SMW SMW	TFRIE is executing its projects the new Gulf Region Division. installation generally progressi projects generally delayed. SD	while transitioning into Transmission line ing well, new generation MO generators coming
nce Program begins in late Feb with over 60		
	egs another 900MW (derated) additional egs: 0MW (nameplate) 6MW Rehab: 126MW Sites: 76MW 68MW 68MW 68MW 62MW 69MW 69MW 69MW 69MW 69MW 69MW 69MW 69	OMW (nameplate)  TFRIE is executing its projects the new Gulf Region Division. installation generally progressing projects generally delayed. SD on line mid-January with 270M on line mid

Objective	Objective Status	
Key Task	Key Task Status	
Further improve compliance with the national allocation policy. Investigate methods of monitoring and enforcement.	Power allocation policy development continues for both commercial and residential customers. Monitoring and enforcement methods continue to be assessed. TFRIE installation of a SCADA system in Baghdad will greatly	
Continue to develop SCADA system to better control electricity distribution.  Continued load shedding, but with decreasing levels of 'off' time. Major improvements to begin in APR 04.	improve load shedding through remote control of switching stations. This system will eventually be installed nationwide.	
Start evaluation of results for SCADA rollout.		
Governorates provide sub-allocation plans for power to industry and residential customers in their areas.		
3 Publish draft document of long-term strategy for Iraqi electr	icity sector Amber	
The long-term strategy will continue to be refined. Projects identified and selected by the CPA shall be planned in detail by the executing party, be that Bechtel, the PMO or other organization.	Bearing Point personnel are conducting financial and revenue analyses, personnel reorganization plans, billing and collection systems, overall electrical system layout plans.	
A transition plan for the Ministry of Electricity, encompassing organizational structure, training, staffing levels, financial processes, etc, shall be developed.		
4 Minimize sabotage and improve security	Amber	
	_	

**Key Task** 

Key Task Status

Deploy Ministry of Electricity EPSS 'Power Police' to take responsibility for security for fixed sites and for patrolling power lines.

Expand communications capability to provide regional communications network. Additional communications equipment to be purchased to enhance the current communications system. Base stations and mobile radios will provide this regional network. National communications will use phone services.

Current Power Police force of 2350 officers. Transfer of authority with Facilities Protection Service is complete in Baghdad and should be complete throughout Iraq by the end of November. FPS forces will increase the number of Power Police by 1400. The Power Police Training Program has graduated 2240. TFRIE will fund and equip 1500 Power Police for one year.

Power police have received through the PRB process 112 new vehicles and 1020 hand held radios for use in patrolling MOE sites. Patrols on transmission lines and key facilities will begin not later than 1 NOV. All personnel are in uniform and an identification badge is being developed. A total of 600 weapons have been issued, 400 in Baghdad and 200 in Basra.

- 3 Provide Food Security for all Iraqis
  - 2 Assure supply of critical inputs

Amber

Amber

Objective Status  Key Task Status
Amber
Amber
Available sources and mixes of financing are the Iraqi budget and the Oil For Food Program. There are three ongoing projects funded by the FY 03 Iraqi budget and six projects just re-started with OFF. Potential new sources are the Donor's Conference and private developers.  CPA MoHC Housing Program Manager Advisor (Ms. is forming a committee with Ministry Housing staff to prepare a Housing Program who's goal is to transform the state provision of housing to a sustainable market based system. Assistance from USAID will be sought to capitalize on their years of lessons learned experience.
1) Establish the team composition 2) Prepare a scope of work and identify funds to initiate a Housing and Shelter Sector Assessment and Analysis. 3) Initiate Housing Reform Program study consisting of tasks relative to the following: a.) Housing and property; b) Infrastructure; c) Construction sector; d) Finance; and e) Property.  Amber

Increase Private Ownership

Ob	pjective	Objective Status
Ke	ey Task	Key Task Status
	infrastructure necessary to support subsidized wnership program and budget to support.	These actions are ongoing and will be included in the program.
	ith Baghdad council and ministries on-going rivatization program. (ongoing)	
	rograms, policies and procedures to introduce restors to the housing market through a variety of ogies	
Track prog	gram progress and adjust as necessary.	
6 lm	prove Quality and Access to Education	Amber
2 Re	ehabilitate 1000 priority primary and secondary schools	Amber
	eographic-based needs for new schools; prioritize op plan for funding (\$88 million provided by ntal).	Key to completing this task is completing by end of February inspections based on standards developed by Ministries of Education and Housing and Construction.
establishe schools w	of Education and Housing & Construction have d a set of building standards against which ill be inspected. In some areas (for instance Sunni inspection and rehabilitation is difficult.	
	n for distribution of computers to administrative d select schools.	
3 Re	eform the curriculum	Amber
	For Official C	
Friday, Janu	uary 30, 2004	Page 13 of

Objective			Objective Statu
	Key Task		Key Task Status
	inue National Dialogue on Education Reform in forums the media throughout Iraq.	Beginning communicating with all s	sectors in Iraq.
-	blish and announce Commission on Education and culum Reform.		
4	Improve the quality of education and lay the foundation for assistance for MOE capacity building	educational reform by providing technical	Amber
mana	re systems and programs in place for financial agement, educational planning and Education agement Information System. (EMIS).		
Estab 1).	blish Inspector General position and appoint (February		
	inue teacher training program with master trainers to 32,000 secondary teachers by end of March.		
	lop plan for establishing TV programs for pre-school ren and their families.		
5	Deliver special programs for girls' education and for reducti	on of girls' illiteracy	Amber
Begir	n expansion outside northern provinces.		

	Objective	Objective Status
_	Key Task	Key Task Status
8	Provide Water Supply, Sewerage and Municipal Services	Amber
3	Municipal Services	Amber
Technical advisory team shifts to Ministry under bi-lateral support project.  Plan developed to include community representatives in developing plans and budgets in majority of municipalities.  Plan for cost and program community-driven proposals for neighborhood improvement to be rolled-out over three year period.		Development planning processes are still at an early stage but have the potential of bi-lateral (DFID) capacity building and support. (DFID-MMPW Support Project now in abeyance, but CSR Project forthcoming which can accommodate some of these requirements)
		Withdrawal of all UN expatriate staff hampering progress on global technical coordination. (New UN analysis underway for potential return; new UN Strategy Document highlights Urban Management and Planning as a priority input)
9	Improve Water Resources Management	Green
3	Facilities Improvements within the Ministry	Amber
finist	itate construction of MoWR headquarters building to be hed by end of May 04. Move the Minister and his ediate staff into the annex at the HQ site.	The ministry's finance department is presently located in an annex at the HQ site. The present plan is to move them into the first floor and to relocated the Minister and his staff in the vacated annex by Feb 7.
4	Capacity Building within the Ministry	Amber
Nomi	ination and Selection of IG by FEB 28th 2004	IG Identified for selection but was later selected by another Ministry.

	Objective Key Task	Objective Status  Key Task Status
10	Restore Economically-Strategic Transportation Infras	tructure Amber
2	Enable Iraqi Port Authority (IPA) to administer a port of call distribution.	with intermodal capabilities and inland container Amber
Stren	ngthen Water-side Cargo Transport Operations:	Strengthen Water-side Cargo Transport Operations:
Rest Rees cont Cont Com Rem mod	blish Port Task Force to coordinate supplemental ing. ore grain facility to full operation. stablish full cargo handling capability by restoring two ainer cranes at Umm Qasr.\ sinued dredging at Khawr Az Zubayr. plete perimeter fencing and security lighting. ove obsolete equipment and infrastructure to ernize port operations. dardize crash/fire equipment at ports.	In early January 2004, Port Task Force, which consists of MoT, Mol, PMO, USAID, the military, and other organizations, will be assessing the Iraqi ports' situation and offering recommendations on port-related contracts.  Currently, Ministry of Transport and Ministry of Interior have agreed to standardize fire protection procedures and equipment at ports and airports.
4	Repair Roads and Bridges	Amber

Key Task

Continue to restart, identify, and repair critical roads and bridges.

Shift priorities from national system to include priorities of the governorates.

Develop viable working relationship with PMO

Develop staffing requirements based on the most efficient organization concept.

Adjust number of personnel according to requirements.

Continue to develop stable and dependable supply system for construction supplies.

23 road and bridge projects completed. 112 projects currently underway. Have to re-negotiate construction contracts because of increases in construction material prices, shortages of supplies, security, and maintenance.

Maintenance projects are negatively affected by problems in bitumen supply.

Objective Status

Key Task

Convert Social Service Programs into Economic Development Tools

Green

Developing a national employment and training initiative

Objective Status

Key Task Status

Amber

20 employment centers up and running to help facilitate relationships between those trained and employers that partner with the center and training institute.

National Employment and Training Center Established: 6 Vocational Training Centers Rehabbed.

5, 000 customers trained.

100, 000 personnel registered for employment services throughout Iraq.

On the Job Training begins for 10,000 personnel

500 Staff Trained (300 in Jordan)

Labor Law review sent out for draft and review

Ministry establishes joint partnership with ILO

OSHA established in Labor Pillar

Ministry established Labor Survey department/staff trained.

76,629 jobs have been created under an initiative, the National Employment Program, that seeks to create 100,000 new public work jobs. Over 150 personnel who were identified for jobs, but lacked the proper skills, started vocational training courses at the Baghdad training center (3 / 17 centers are open).

The country now has 11 / 28 employment centers in operation in Iraq (Baghdad, Irbil, Mosul, Kirkuk, Baqubah, Khanaqin, Karbala, Najaf, Diwaniyya, Samawa, and Nasariyya). Over 25,000 Iraqis found permanent jobs with the assistance of these centers.

	Objective	Objective Status
	Key Task	Key Task Status
12	Reconstitute Oil Infrastructure	Amber
4	Build guard force to 14,500. Transfer responsibility for all domestic Oil), SOMO	product imports to the MOO (Ministry of Amber
SOM	O training to assume full responsibility for all imports.	SOMO has begun imports of all fuels; full responsibility still some time away; SOMO training under DESC.
15	Improve and Optimize Use of Public Buildings	Amber
1	Repair public buildings to pre-war quantities and standards	Amber
Based on budget availability, initiate work on projects in priority order.  Observe program and adjust as necessary.		This task has been superceded by a new task: Develop Public Buildings Plan. This Plan is rolled up in Key Task No. 2.
2	Develop and implement optimum mix of public building utilization Task is re-defined as: Develop Public Building Plan	Amber
Estimate potential public income to be derived from appropriate use of public buildings. Develop policy with regard to alternative use of public buildings in conjunction with Iraqi government institutions. Determine optimum mix of benefits (income, cultural, other) to be derived from alternative uses.		Public Buildings Program Manager Advisor has started assembling the MoHC Team to develop the Public Buildings Plan.
Sche	dule Public Buildings Plan for Implementation.	

	Objective Key Task	Objective Status  Key Task Status
Ecc	onomy	Green
1	Build Financial Market Structures	Green
3	Re-establish Baghdad Stock Exchange	Amber
	nen stock exchange at temporary location in Q1 2004 CPA order. Install depository with direct link to New	e. Status – on track for trading to begin in Q1 i.12/23/03 update – Expected opening rescheduled in Q1 2004; we have expert from Philadelphia Stock Exchange coming in as an overseer in January. Ii.12/30/03 update – Reflects timeline movement to the right approximately one month. Iii.1/7/04 Update – Assuming no unexpected holdups, trading could begin in the first week of February iv. 1/26/04 Communications system installed at site for exchange, including high-speed internet satellite connection. The stock market will re-open in Q1 2004.
4	Restructure National debt	Amber

Kov Tack		Objective Statu
Key Task		Key Task Status
Begin coordination with USG agencies to obtain debt reduction.	Discussions with officials of de Former Secretary of State Jame pledges from four Persian Gulf Kuwait, the United Arab Emirate members of the Paris Club to re traq's debt. MoF will issue a Re (RFPs) for a private accounting services firm to provide account reconciliation services on Iraq's debt. The purpose of the RFPs consulting firm that can assist ledger of debt owed to foreign a potentially, other claims from it or other entities located outside	es A. Baker III secured nations (Saudi Arabia, es and Qatar) and educe their holdings of quest for Proposals firm or financial sting and debt is external sovereign is to identify a liraq with rebuilding its sovereign entities and, adividuals, corporations,
3 Develop Framework for Sound Public Sector Finances	s and Resource Allocation	Green
2 Increase International Cordination to Manage Foreign Assis	stance	Amber

Objective Status

Key Task

Remove Subsidies/Develop Social Safety Net

Objective Status

Key Task Status

Green

Develop Energy Subsidy Reform Plan.

Amber

Continue to discuss appropriate timing and parameters with Ministries and GC. Implement if appropriate

a.12/23/03 update – The proposal to address energy subsidy reforms has been rejected. However, we are assisting in an effort to address the current gasoline shortage. A memo was submitted to Amb. Jones, and will be submitted to Amb. Bremer upon his return. b.1/7/04 update – A new proposal was submitted to Amb. Jones, reviewed, and prepared for (but not submitted to) Amb. Bremer. The Minister of Oil reviewed the proposal, and is suggesting a different approach. We hope to work with the Ministry to discuss the different possibilities. THIS UPDATE IS FROM WORK THE PRIVATE SECTOR DEVELOPMENT GROUP IS

c.1/26/04 Discussed gasoline shortage issue with Minister of Oil. Agreed to discuss possible solutions/ideas once the Minister's task force finishes developing its own recommendation/proposal. Return SOEs to pre-war operating levels, where appropriate a.Continued progress of SOEs standing up to normal operating levels.Salaries will be subsidized indirectly. Subsidies will not be removed

Continued progress of SOEs standing up to normal operating levels.

SOEs are facing hard budget constraints and are taking steps to alleviate pressures. These steps include the pursuit of leasing of property of many of unprofitable SOEs. Need to re-evaluate current SOE strategy based on current political constraints e.On track. Private financing and possible ownership transfers being discussed with respective ministries.

1.12/23/03 update – No ownership transfer options at this point although the CPA continues to assist the ministries to evaluate leases

2.12/30/03 update – Revised SOE action plan in development. Work continues on addressing barriers preventing SOEs from standing up

3.1/7/04 update –Need to re-evaluate current SOE strategy based on current political constraints

4.1/26/04

Work continues. Pushing Iraqi Central Cement to apply for a \$10MM capital expenditure loan through SOE state banks

Need to re-evaluate current SOE strategy based on current political constraints

Need to re-evaluate current SOE strategy based on current political constraints. Based on financial reports from selected SOEs conducted by KPMG and Talal Abu-Ghazaleh & Co. International (TAGI), the Iraqi Central Cement Company (ICCC) and Najaf Tire could have loan packages completed within the month. CPA is working with ICCC to apply for a \$10 million capital expenditure loan through Iraqi state banks.

Objective		Objective Statu
Key Task		Key Task Status
2 Find sources for financing their short term working capital	and investment requirements - (leasing).	Amber
Improve monitoring system to track performance of SOEs.	Need to re-evaluate current SOE sicurrent political constraints. 111 becompeting in a review process to belonging to 18 Ministry of Industr Of the 111 bidders, 20 are foreign a have opted to form partnerships with firms, a very positive step toward a committee process (in conjunction Bridge consultants and IRDC staff, candidates and a short list will be complete proposal which will begind diligence process. Do not anticipate the next 3 months.	idders are lease 35 plants lease 35 plants lease 35 plants lease 36 plants and 91 are Iraqi (many lith international free enterprise). A lease with Merchant lease with whittle down the linvited to make a lease to the firms due
3 Hard Budget Constraints		Amber
Need to re-evaluate current SOE strategy based on current political constraints	Need to re-evaluate current SOE st current political constraints 1/26/04 04 SOE Budgets bein Ten private Iraqi accounting firms firm (KPMG) are preparing financia SOEs in order to help the stronger liquidity loans, and assist the mini the viability of the remaining firms.	ng reviewed by OMB. and one international il reports for some firms apply for stry in determining

	Objective	Objective Status
	Key Task	Key Task Status
Exan	nine restructuring state owned insurance companies.	Need to re-evaluate current SOE strategy based on current political constraints
	to re-evaluate current SOE strategy based on current cal constraints	
4	Develop Restructuring Plan for SOEs	Amber
		Plan presented verbally to AMB Bremer. Follow on memo outlining SOE plan to be submitted by the end of the week
9	Lay Foundations for an Open Economy	Green
1	Provide IG Staff Capability	Amber
Jan I	dentify candidates for CPA Review	Waiting for the Minister to Select Candidate
Feb :	Select and install IG	
Deve	lop and Implement Program	
3	WTO Observer Status.	Amber

**Objective Status** 

February 1: Relevant Iraqi Officials (RIO) in each ministry named

February 15: Initial meeting/discussion with each RIO completed

The WTO accession process requires every type of Iraqi law that regulates any part of commerce be brought into compliance with what will be Irag's WTO obligations. This will involve audit and revision of laws under the umbrellas of nearly all of Irag's ministries including, but not limited to, the ministries of Trade, Finance, Interior, Transportation & Communication, Industry & Metals, Agriculture, Foreign Affairs, National Standards, Oil, Justice, Culture, Central Bank, Public Works, and Planning. At the same time, much of Irag's pre-war law is not available from any one central source. This is particularly true of regulatory law promulgated by the ministries themselves -- as opposed to statutory law promulgated by a legislature, or executive orders issued by the national executive. As a consequence, it will be necessary to have an Iraqi official within each ministry named to be the POC for information under audit, drafting of new laws, and for organizing support within the ministry for enactment of the new laws.

March 15: All relevant law and procedure assembled and translated

As noted above, much of Iraq's pre-war law is not available from any one central source. Law from a myriad of disparate sources, including regulatory law promulgated by individual ministries will need to be assembled, after which much of it will need to be translated and put into an

Funding is in question right now and task may be deleted. Going to Geneva to submit letter for observer status the 18th of Jan.

	Objective	Objective Status
	Key Task	Key Task Status
elect	ronic database.	
10	Pursue National Strategy for Human Resource Development	Amber
1	Begin work to employ 100,000 workers in Public Works programs around the country.	Amber
Conc	duct national survey.	
11	Maintain and Strengthen Iraq's Science and Technology Base	Amber
1	Energy Research and Development	Amber

	Objective		Objective Status
	Key Task		Key Task Status
Gov	vernance		Amber
2	Develop Civic Participation in Governance		Amber
5	Build capacity for civil society conflict prevention & mitigati	on (CPM)	Amber
	approve, fund and implement programs; transition to control	No progress	
5	Promote Respect for Human Rights		Amber
2	Preserve documentation of past atrocities, raise awareness,	and promote reconciliation	Amber
witne	n nationwide use of CPA document database and ess testimony collection programs. Train Human ts Ministry personnel in this function.	Many documents and much exhas collected over 700 summa has developed a database for ready for training locals and National Training on documentation and Reconciliation programs begin	nries of past abuse and documents, which is finistry personnel. ad memorials completed.
Supp	elop and seek international funding for memorials. Once plemental funding arrives complete planning for Abu raib memorial with NGOs and Ministry.	Kurdish Human Rights Ministe gave memorial on the North, a mass grave memorial at Maha funding from international soc	nd NGO has proposed a wil. We are seeking
Deve	elop Truth-revealing process.	Iraqis generally do not yet see Revealing Process. Education Funding is allocated for this u and UK desires to play a role i process.	efforts will continue. Inder the Supplemental

Objective  Key Task  Bring counseling programs to Iraq. Strengthen local capacity.			Objective Status
			Key Task Status
		Physicians for Human Rights was supposed to prov such counseling in Oct, Nov and Dec but cancelled. are seeking proposals to provide training to Iraqis in counseling.	
8	Promote Durable Solutions for Refugees and Internal	y Displaced Persons (IDPs)	Amber
2	Build national and local capacity to protect and assist refug	ees and IDPs.	Amber
train	te permanent facility for Ministry. Continue to hire and staff. Facilitate increasing responsibility for refugee DP policy making.	Interim building under rehabilita by February. Ministry still worki	
Finalize locations of four offices in regions of high refugee and IDP populations. Open offices and hire initial staff.		Funding from Portugal confirme end of January. Ministry Tooking office.	

	Objective		Objective Status
	Key Task		Key Task Status
Stra	ategic Communications		Amber
2	Support Security with a robust communications camp	aign	Red
1	New Iraqi Military communication and information campaign	n	Amber
	egic communications, especially Iraqi Media Network, in popular support. (CPA)		
Iraqi	Army Day (6 JAN 2004) IO effort		
3	Support Governance with a robust communications ca	ampaign	Amber
2	2 Constitution: Support the process by which the Iraqi citizens develop their constitution.		Amber
	rials production for Constitution campaign ramps up MAR 2004)	This Key Task is Phase II of the Comms/Governance Communithe initial efforts focused on a democracy education near content execution mode (about	nications campaign. Once participation and basic ampletion, this effort will
4	Support Essential Services with a robust communicat	ions campaign	Amber
1	Electricity Campaign		Amber
	oncile task list to achievable objectives within currently tened time frame.	Currently reconciling task list within a shortened time frame Governance transition plan as	e. Intend to use
Refir	ne plans	Essential Services campaign from that example. Estimate plan completion NLT 1 FEB 04.	

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Friday, January 30, 2004

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	Objective	Objective Status	
	Key Task	Key Task Status	
2	Education Campaign	Amber	
Reconcile task list to achievable objectives within currently shortened time frame.  Refine plans		Currently reconciling task list to achievable objectives within a shortened time frame. Intend to use Governance transition plan as "shell" and refine Essential Services campaign from that example. Estimate plan completion NLT 1 FEB 04.	
3	Health Care Campaign	Amber	
	ncile task list to achievable objectives within currently ened time frame.	Currently reconciling task list to achievable objectives within a shortened time frame. Intend to use Governance transition plan as "shell" and refine	
Refin	e plans	Essential Services campaign from that example. Estimate plan completion NLT 1 FEB 04.	

# Member Attendees: Ambassador Jones (chair) Ambassador Greenstock COO Kellogg Ambassador Richmond MG Gallinetti General Figgures Regular Invitees: Andrew Rathmell Andrew Dunn Invitee Presenters:

E:\ExecSec\ExecBoard\Minutes 25 JAN 04

LPB HAS SEEN

(CIV)

From: Mr. (CIV)

Sent: Saturday, April 24, 2004 9:05 PM

To: Executive Secretary

Cc: (O-4); Smith, Frederick (SES-6)

Subject: Order Tranferring ICDC to MoD

On an action memo from OGC on this subject, LPB asked: "Has this been coordinated with the Minister of Defense and the GC Security Committee?"

I have discussed it with the Minister of Defense. I also discussed with the GC Security Committee some time ago that the ICDC would be assigned to the MoD. I will mention it again to Ayad Allawi. Thus, LPB can rest assured that consultations with the Iraqis have been completed.



# COALITION PROVISIONAL AUTHORITY BAGHDAD

140422-55

#### ACTION MEMO

FOR: THE ADMINISTRATOR W/ Kinishor Ct Vehense?

FROM: Office of the General Counsel w/ GC Schurt Country Country?

SUBJECT: Order Transferring the Iraqi Civil Defense Corps to the Ministry of Defense 4/2?

The attached Order transfers the ICDC to the Ministry of Defence as a component of the Iraqi Armed Forces, and amends CPA Order Number 22, Creation of a New Iraqi Army, and CPA Order Number 28, Establishment of the Iraqi Civil Defense Corps, to include provisions consistent with the transfer. Changes to CPA Order Number 28 also include amendments to make that order consistent with subsequent relevant CPA Orders and the TAL, and to include changes requested by Commander, CJTF-7.

With respect to the latter, the attached Order amends Order Number 28 to:

- allow Commander, CJTF-7 to set unified standard for manning, training, and equipping the ICDC and to establish their mission essential task list and operational employment:
- authorize members of the ICDC under the operational control of a Coalition Forces officer to
  use force consistent with rules of engagement or rules for the use of force applicable to
  Coalition Forces in order to execute their assigned missions and taskings; and
- provide ICDC members, acting within the scope of their mission or tasking and consistent
  with applicable Coalition rules of engagement or rules for the use of force, immunity from
  Iraqi criminal, civil, and administrative jurisdiction and from any form of arrest or detention,
  and give the Administrator the exclusive authority to determine when a particular act
  qualifies for such immunity.

**RECOMMENDATION:** That the Administrator sign the Order transferring the ICDC to the Ministry of Defence as a component of the Iraqi Armed Forces.

Approve:_	1000	Disapprove:	Approve with modification:	
ATTACHMENT:	CPA Ord	er Number 73		
COORDINATION	: ONSA		(ok); MoJ (has see	n);
		(has seen)		

UNCLASSIFIED

#### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 73

# TRANSFER OF THE IRAQI CIVIL DEFENSE CORPS TO THE MINISTRY OF DEFENCE

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), under the laws and usages of war, and consistent with relevant United Nations Security Council resolutions, including Resolutions 1483 and 1511 (2003).

Noting that CPA Order Number 22, Creation of a New Iraqi Army, August 7, 2003, established a military force for the national self-defense of a future free Iraq.

Noting that CPA Order Number 23, Creation of a Code of Military Discipline for the New Iraqi Army, August 7, 2003, established a system of discipline to maintain order in the New Iraqi Army.

Noting that CPA Order Number 28, Establishment of the Iraqi Civil Defense Corps. September 3, 2003, established a temporary security and emergency service agency for Iraq to complement operations conducted by Coalition military forces in Iraq.

Noting the adoption on March 8, 2004 of the Law of Administration for the State of Iraq for the Transitional Period.

Further noting that CPA Order Number 67. Ministry of Defence, promulgated on March 21, 2004, redesignated the New Iraqi Army as the Iraqi Armed Forces, established a new national ministry to provide civilian control of the Iraqi Armed Forces and supporting organizations, and provided for the eventual transfer of the Iraqi Civil Defense Corps to the Ministry of Defence as a component of the Iraqi Armed Forces.

Recognizing, in light of current circumstances within Iraq, the need to transfer the Iraqi Civil Defense Corps to the Ministry of Defence as a component of the Iraqi Armed Forces and to provide additional clarification with respect to the status and authority of the Iraqi Civil Defense Corps and its members.

I hereby promulgate the following:

#### Section 1 Transfer

1) The Iraqi Civil Defense Corps, to include all associated personnel, facilities, and equipment, established pursuant to CPA Order Number 28 is hereby transferred to the Ministry of Defence as a component of the Iraqi Armed Forces.

CPA/ORD/22 April 2004/73

- 2) As a component of the Iraqi Armed Forces, the Iraqi Civil Defense Corps shall be subject to the terms of CPA Order Number 22, as amended; provided that in the event of a conflict between the terms of CPA Order Number 22, as amended, and CPA Order Number 28, as amended, the terms of CPA Order Number 28, as amended, shall govern.
- 3) The transfer of administrative functions for the Iraqi Civil Defense Corps shall be accomplished in a manner and on a timeline agreed to by the interim Minister of Defence and the senior military commander of Coalition Forces in Iraq consistent with the Ministry of Defence's capability to administer such responsibilities.

#### Section 2 Amendment to CPA Order Number 22

Coalition Provisional Authority Order Number 22, Section 3, is hereby amended by adding a new Section 3. Article 5, as follows:

"5) The Iraqi Civil Defense Corps shall operate as a component of the Iraqi Armed Forces in accordance with the terms of this Order, CPA Order Number 28, as amended, CPA Order Number 67, and CPA Order Number 73; provided that in the event of a conflict between the terms of this Order and CPA Order Number 28, as amended, the terms of CPA Order Number 28, as amended, shall govern."

#### Section 3 Amendments to CPA Order Number 28

- 1) Coalition Provisional Authority Order Number 28, Section 1, Article 4, is hereby amended to read in its entirety as follows:
  - "4) The Iraqi Civil Defense Corps is a component of the Iraqi Armed Forces. The Iraqi Civil Defense Corps shall operate in accordance with the terms of this Order, as amended. CPA Order Number 22, as amended. CPA Order Number 67, and CPA Order Number 73; provided that in the event of a conflict between the terms of this Order, as amended, and CPA Order Number 22, as amended, the terms of this Order, as amended, shall govern."
- 2) Coalition Provisional Authority Order Number 28, Section 2, Article 4, is hereby deleted in its entirety and the existing Section 2, Article 5, is hereby redesignated as Section 2. Article 4.
- 3) Coalition Provisional Authority Order Number 28, Section 2, Article 6, is hereby deleted in its entirety.

- 4) Coalition Provisional Authority Order Number 28, Section 3, is hereby amended by adding a new Section 3, Article 5, as follows:
  - "5) Notwithstanding Section 3. Article 4 above, members of the Iraqi Civil Defense Corps under the operational control of a Coalition Forces officer may use force consistent with rules of engagement or rules for the use of force applicable to Coalition Forces to execute their assigned missions and taskings."
- 5) Coalition Provisional Authority Order Number 28. Section 4. Article 1, is hereby amended to read in its entirety as follows:
  - "1) The Iraqi Civil Defense Corps shall operate under the authority of the Administrator of the CPA. Subject to the authority of the Administrator of the CPA, the interim Minister of Defence shall be responsible for management and employment of the Iraqi Civil Defense Corps and shall exercise direction and control (including commissioning and appointments) over the Iraqi Civil Defense Corps and its organizational structure. During the period in which the Iraqi Civil Defense Corps is under the operational control of a commander of Coalition Forces for the purpose of conducting combined operations and providing other support, as provided for in CPA Order Number 67, the Administrator of the CPA may delegate to the senior military commander of Coalition Forces in Iraq responsibility and authority for the recruiting, training, organization, and control of the Iraqi Civil Defense Corps. This responsibility and authority may be re-delegated pursuant to Section 7 below."
- 6) Coalition Provisional Authority Order Number 28, Section 4, is hereby amended by adding a new Section 4, Article 2, as follows:
  - "2) While the Iraqi Civil Defense Corps is under the operational control of Coalition Forces, the senior military commander of Coalition Forces in Iraq may set the standards for manning, training, and equipping Iraqi Civil Defense Corps forces, as well as establishing their mission essential task list (METL) and operational employment."
- 7) Coalition Provisional Authority Order Number 28 existing Section 4. Articles 2 and 3 are hereby redesignated as Section 4. Articles 3 and 4, respectively.
- 8) Coalition Provisional Authority Order Number 28, Section 5, is hereby amended by adding a new Section 5, Article 3, as follows:
  - "3) Notwithstanding any other provision in this or any other CPA Order. Regulation. or Memorandum or any provision in Iraqi law, Iraqi Civil Defense Corps members acting within the scope of their mission or tasking and consistent with applicable Coalition rules of engagement or rules for the use of force are immune from Iraqi

criminal, civil, and administrative jurisdiction and from any form of arrest or detention. The Administrator of the CPA shall have the exclusive authority to determine when a particular act was performed in an official capacity and consistent with the rules of engagement or rules for the use of force applicable to Coalition Forces, and such determination is binding on all governmental, judicial and administrative entities within Iraq."

#### Section 4 Entry into Force

This Order shall enter into force on the date of signature.

aul Bremer, Administrator



# COALITION PROVISIONAL AUTHORITY BAGHDAD

#### INFO MEMO

April 10, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Director, National Security and Defense

SUBJECT:

ICDC

The ICDC has yet to be assigned to the MoD. The plan has been to wait until the MoD has the capacity to take over administration, including pay, which is currently done locally by the MSCs. It will be a struggle to get MoD systems up to the task of administering and paying ICDC for several months. Meanwhile, we have this anomaly of a large Iraqi security force not connected to any part of the Iraqi government. This is not consistent with our strategy of putting responsibility on Iraqi shoulders. We have a Defense Minister who is ready to take responsibility; it is odd to tell him be has no responsibility for the ICDC because of administrative reasons.

For these reasons, I am planning to effect the assignment of ICDC to the MoD as soon as possible. MoD can simply "outsource" administration, including pay, to CJTF7. There would be no practical change. Nor, of course, will this affect operational command and control, given that ICDC is and will remain assigned to our command for the foreseeable future regardless of its relationship to MoD.

We are investigating with OGC and CJTF7 whether this change can be made as easily and promptly as I think it can. Assuming we can do this now, we can point to the assignment of the ICDC to MoD as another step in Iraqis taking responsibility. We will, of course, continue to press forward in building the MoD systems to administer ICDC by 7/1.

CC: MG Weber,



LPB HAS SEEN

# COALITION PROVISIONAL AUTHORITY BAGHDAD

#### **ACTION MEMO**

February 23, 2004

FOR:

THE ADMINISTRATOR

FROM:

David Gompert, Senior Advisor for National Security and Defense

SUBJECT:

ICDC

Our guidance from Secretary Rumsfeld is to keep open our options with regard to the ICDC's future character and mission. We can and will do this. However, we need to place the ICDC within some ministry in preparation for Iraqi assumption of sovereignty. For the reasons outlined in the attached memo to SecDef, I strongly recommend that it be under the MoD. We are planning to state this in the forthcoming CPA order creating the MoD, though we will not refer to it as the reserve component of the IAF.

RECOMMENDA	ATION	: That you sign the at	ached memo to SecDef.
Approve:_	/	Disapprove:	Approve with modification:
ATTACHMENT:			
COORDINATIO	Mo	F-7 – awaiting formal I – ok C - ok	coordination



# COALITION PROVISIONAL AUTHORITY BAGHDAD

MEMO FOR:

Secretary Rumsfeld

FROM:

Paul Bremet 2 23

SUBJECT:

Status of ICDC as of July 1, 2004

Your guidance is to keep coalition and Iraqi options open in regard to the future of the ICDC. As you note, it could become the reserve component of the Iraqi Armed Forces (which will need reserves because of the small size of the regular army), a gendarmerie-like force, or split into different forces, perhaps with some of it dissolved or at least deactivated. Meanwhile, it will be operating under the control of the US-led Iraq MNF. As security conditions evolve, the Iraqis and we will have a clearer idea of how to use this capability in the future.

As of July I, the ICDC will have to be assigned to one or another Iraqi ministry: Defense or Interior. No Iraqi security force can exist unless clearly positioned within the state structure we are creating. A sovereign state must have clear institutional ownership of its armed personnel—without such ownership, both sovereignty itself and the assignment of these forces to the multinational force lacks credibility. Moreover, there will be a variety of administrative functions that must be fulfilled by the Iraqis (e.g., logistics, administration and pay). Finally, if the ICDC were not clearly assigned, it would become the prize of competition among Iraqi politicians trying to strengthen their positions through the control of armed power.

We believe the best ministry by far in which to place the ICDC is the MoD. In the short term, placing it in Interior would create an excessive concentration of power, with 80,000 police, 40,000 ICDC, and tens of thousands of other Mol-controlled security forces. In contrast, the MoD will have only about 10,000 soldiers in activated units by July 1. Also, of necessity, Mol will have much closer ties than MoD to the Iraqi National Intelligence Service. The MoD will have greater and more relevant institutional capacity to "organize, train, and equip" the ICDC than will the Mol, the focus of which is on development of police, not armed forces. Finally, insofar as we want to keep both the reserve and the gendarmeric options open, the MoD is the appropriate institutional structure for either approach.

Placing the ICDC within the MoD will therefore not prejudice its ultimate mission and character. Whatever its fate, the ICDC's roles and structures argue strongly for its placement in the MoD for as long as it exists and it is this understanding that we have developed collectively in the SISG over the past few months. Unless I hear otherwise from you, we will include the ICDC in the forthcoming CPA order creating the MoD, while keeping open the options as you indicate.

F	, PW)	(FS01)			
From: Sent:		vember 21, 2003 10:5	6 DM		
To:	Friday, No.	CIV:	CIV Ministry of Gov	vernance	
Cc:	Evacinina	Secretary:	Civ Williamy of Gov	remance	
		r ICDC - Paper Out wi	th Comments		
Subje	et. Options to	ricoc - raper our wi			
nb Bre	emer commen	led on paper the paper the paper in in year	at he needed a meeting with	and before the A	bizaid

Executive Assistant, CPA Administrator Head of CPA Executive Secretariat

#### UNCLASSIFIED

# COALITION PROVISIONAL AUTHORITY BAGHDAD

#### INFO MEMO

		(frame)	November 20, 2003
FOR: THE ADMIN	ISTRATOR		
FROM:	Aeting Director,	National Security Affairs	
SUBJECT: Ontions	for the ICDC		

We must advance the decision point concerning the future destiny of the ICDC. I understand LTG Sanchez will return Saturday evening and GEN Abizaid will arrive on Sunday. This is an opportunity to discuss the alternatives in preparation for a decision. The attached paper is for your information, to prepare for those discussions. It identifies the options and provides our (Office of National Security Affairs) assessment of the options.

The requirement to rapidly expand ICDC to augment our security capabilities, together with actions we will want these forces to execute during transfer of sovereignty will challenge our capabilities. It will also require a significant investment of our resources in December and January. Our efforts will need to be guided by a common vision of the ICDC end state. The first of December will be timely to decide that question.

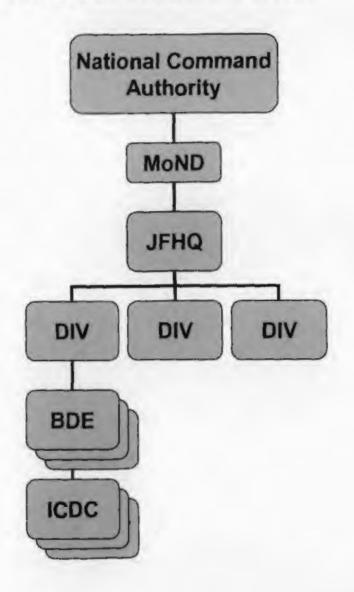
MOI, OPP and CJTF/C5 have provided input and comment to this paper. There are no disagreements on the facts. There are significant uncertainties relating to the readiness and availability of Iraqi forces (ICDC, NIA, headquarters and sustainment) in relation to the timing and local conditions of transition. For this reason, we will recommend, in a separate action memorandum, that CPA and CJTF jointly conduct a detailed, tactical-level analysis of the transition of security responsibilities in the urban areas which we will have to execute as we advance the transfer of sovereignty.

ATTACHMENTS: as

COORDINATION: MOI, OPP, CJTF/C5

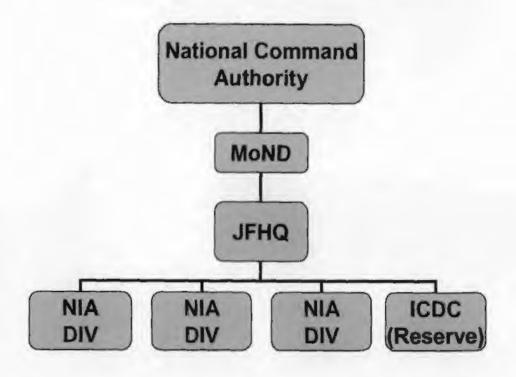
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# Option 1A, ICDC as Component of NIA



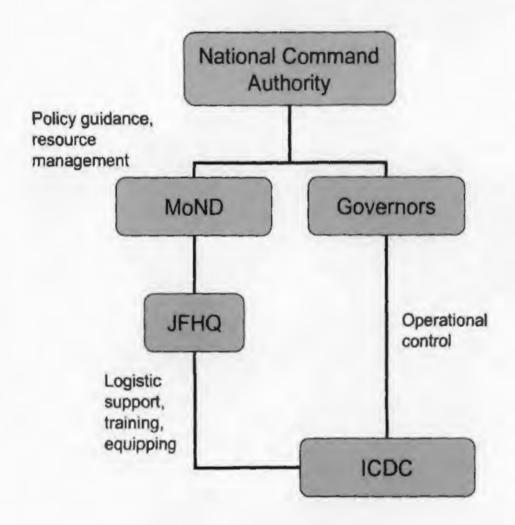
- -Under authority of the MoND and JFHQ
- -Trained, equipped and supported by the NIA
- -Attached to NIA units in their local areas
- -Command and Control from divisional/Bde HQ
- -Full-time, active-duty security force
- -Primary mission: internal security. Operates in support of Iraqi Police in internal security matters

# Option 1B, ICDC as Territorial Reserve



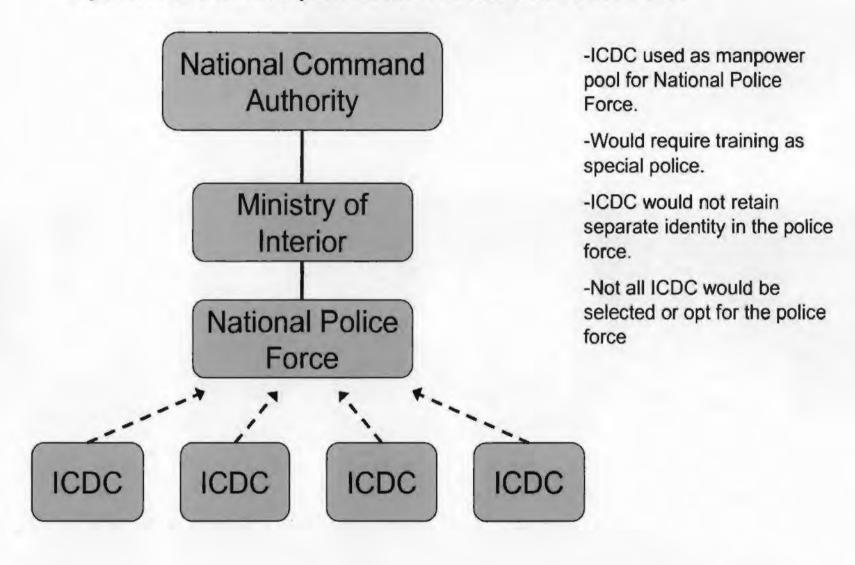
- -Under authority of the MoND and JFHQ
- -Trained and equipped by the NIA
- -Reserve units, activated only in time of need
- -Internal security mission (patrolling, fixed site security, convoy security, riot control, disaster relief and humanitarian missions)

## Option 1C, National Guard-Type Model

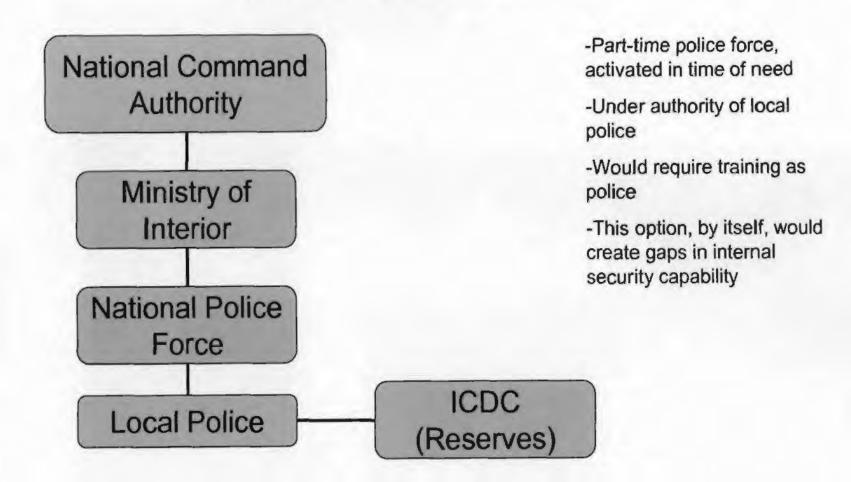


- Local in character
- Under operational control of Governorate
- National Command
   Authority has ultimate veto.
   Policy guidance from and resourced through MoND
- Trained and equipped by JFHQ
- Mission: Internal Security

# Option 2A, ICDC Incorporated into the National Police Force



## Option 2B, ICDC as Police Reserves

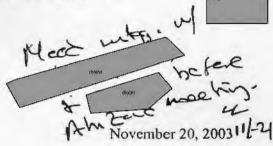




### COALITION PROVISIONAL AUTHORITY

BAGIIDAD

**INFO MEMO** 



FOR:	THE ADMINISTRATOR

FROM: Acting Director, National Security Affairs

SUBJECT: Options for the ICDC

ATTACHMENTS: As Stated

COORDINATION: MOI, OPP, CJTF/C5

**UNCLASSIFIED** 

## DRAFT

November 19, 2003 2230

This paper has not been read nor commented upon by General Abizaid or Lieutenant General Sanchez

## DISPOSITION OF THE IRAQI CIVIL DEFENSE CORPS (ICDC)

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To: Part tator

Here are my thoughts regarding how we might improve our overall program to train, equip to advise the Iraqi security forces.

My initial concept was to organize a new CMATT type organization that would operate in support of MOI in a similar fashion to the current CMATT operating in support of MOD. This a viable approach, but will require a major investment in personnel and considerable time to stand up. As I looked more closely at the existing CMATT and spoke at length with Paul Eaton, it became clear that the existing CMATT is seriously under resourced to meet its objectives for the IAF. Creation of a new CMATT would likely encounter the same problems, exacerbated by the requirement to resource both organizations.

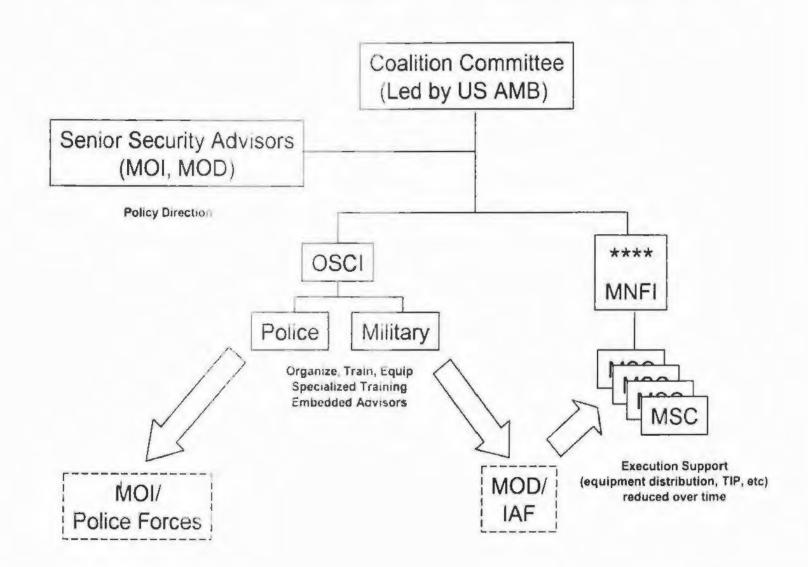
My recommendation would be to expand the existing CMATT into an Office of Security Cooperation (OSC) to support the full range of Iraqi security forces, including IAF, IPS, BDE, ICDC, FPS and CT forces as well. The immediate priority is to assist MOI with its requirements to train, equip and advise the IPS. I envision the OSC assuming responsibility for the execution/implementation of the MOI and MOD programs. The MOI and MOD Senior Advisors would continue to work directly for CPA and after transition for the US Ambassador. The Senior Advisors would continue to interface with the Iraqi leadership and would provide policy direction to the OSC. The OSC would be responsible for executing the policy, not only by making sure that equipment is properly ordered, recruiting is done and training is arranged, but would monitor and assist the Coalition forces to ensure the MSCs in the field are complying with the established policy as equipment is fielded, recruitment is done and training and mentoring are conducted.

This will only work if properly resourced. Staffing of the OSC must be sufficient to adequately support both MOD and MOI requirements. During the initial phase, this staffing would by necessity be largely military. Frankly speaking, only the military can adequately fill the void that currently exists, both from an organizational and staffing perspective. However, it is essential that civilian police personnel be infused into the OSC as quickly as possible to ensure that policy implementation, especially quality control of training and advisory/mentoring of Iraqis, is in compliance with desired standards. Given the importance of the mission, it is hard to imagine an organization that should command a higher priority for personnel and dollars.

The expansion of the existing CMATT into an OSC to support MOI and MOD will ease the transition that will occur when CPA is dissolved on 1 July and is replaced by an embassy structure. The OSC would continue to provide support for all of the Iraqi security forces in a coordinated manner, reflecting established priorities. The key issues revolve around who works for whom before and after the transition on 1 July. I believe the new 4-star MNF commander should report to the Administrator for all activities regarding Iraqi security force development until CPA goes away. Thereafter, he should report to a Coalition Committee headed by the US Ambassador. The OSC, ideally headed by a civilian, would report directly to the head of the Coalition Committee and receive support from the MNF commander for operational and administrative requirements until such time as the OSC can assume those functions.

The attached chart depicts the C2 for Coalition support of the Iraqi security forces.

# C2 For Coalition Support of Iraqi Security Forces



#### CIVILIAN AND MILITARY RELATIONSHIP:

- IRAQ POST SADDAM WILL NEED MILITARY FORCES TO DEFEND THE BORDERS OF THE COUNTRY AND ITS CONSTITUTIONAL FACILITIES.
- THE MILITARY FORCES MUST BE COMMANDED BY THE CIVIL AUTHORITIES' LEADERSHIP ELECTED BY THE IRAQI PEOPLE AND BELIEVES IN DEMOCRACY, PLURALISM, FEDERALISM, AND HUMAN RIGHTS.
- 3. THE LEADERSHIP MUST REPRESENT ALL THE ETHNIC AND RELIGIOUS GROUPS OF IRAO.
- 4. THE MILITARY FORCES HAVE THEIR RESPONSIBILITIES AND SHOULD TAKE CARE OF THEM. IN ORDER TO WIN THE PEOPLE'S CONFIDENCE, THEY SHOULD NOT INTERVENE IN THE POLITICAL ISSUES RELATED TO THE ADMINISTRATION.
- 5. EDUCATION OF YOUNG PEOPLE ON DEMOCRACY PRINCIPLES, HUMAN RIGHTS, FREEDOM OF EXPRESSION IN THE SCHOOLS IN ORDER TO HAVE A CULTURAL DEMOCRATIC BACKGROUND WHEN THEY JOIN THE MILITARY SERVICE. THIS WILL IMPROVE THE MILITARY AND CIVIL RELATIONSHIP.
- THE MILITARY FORCES SHOULD HELP THE PEOPLE DURING THE NATURAL DISASTERS SUCH AS FLOODS, FIRE INCIDENTS, EARTHOUAKES, STORMS,...ETC.
- 7. FINDING JOBS FOR THE UNEMPLOYED INDIVIDUALS AFTER THEIR DEMOBILIZATION FROM THE MILITARY SERVICE.
- 8. FOUNDATION OF AN ORGANIZATION FOR NATIONAL AWARENESS AND EDUCATION AMONG ALL THE MILITARY UNITS AND FORMATIONS. THIS MUST BE IN THE SAME WAY FOLLOWED BY THE MILITARY FORCES OF THE DEMOCRATIC COUNTRIES THAT HAVE PERSONAL FREEDOM AND RESPECT THE HUMAN RIGHTS.

#### EDUCATION FOR DEFENSE:

1. THE IRAQI MILITARY FORCES HAVE BEEN USED AS AN INSTRUMENT FOR REPRESSING AND FRIGHTENING THE IRAQI PEOPLE AND THE NEIGHBORING COUNTRIES. THE IRAQI MILITARY HAS ALSO BEEN USED FOR DESTABILIZING THE SECURITY SITUATION IN THE REGION AND THE WORLD.

THIS POLICY HAS CAUSED TREMENDOUS LOSSES AND CASUALTIES IN IRAQ. HUNDREDS OF THOUSANDS OF PEOPLE HAVE BEEN KILLED, WOUNDED, HANDICAPPED AND MISSED. ALSO, MARSHES HAVE BEEN DRAINED AND THE ECONOMIC INFRASTRUCTURE HAS BEEN BROKEN DOWN.

THAT SITUATION HAS CREATED A LOT OF SOCIAL PROBLEMS FOR THE IRAQI SOCIETY. THE IRAQI PEOPLE HAVE NO MORE CONFIDENCE IN THE MILITARY FORCES AND DON'T LOOK AT

THEM AS A NATIONAL FORCE PROTECTING THE COUNTRY'S INTERESTS. THEREFORE, AND IN ORDER TO BE A LESSON FOR THE NEXT GENERATIONS, THE ELECTED CIVIL AUTHORITIES SHOULD HAVE A POLITICAL PROGRAM TO CLARIFY THE TRAGEDY AND SUFFERINGS RESULTED FROM THE AGGRESSIVE POLICY OF THE REGIME AND ITS EFFECTS ON THE FUTURE.

- 2. CANCELLATION OF THE CURRENT DIRECTORATE OF POLITICAL GUIDANCE AND DEMOBILIZING THE PEOPLE WHO HAVE BEEN WORKING IN IT. A NEW ORGANIZATION, WHICH CORRESPONDS THE ONES OF THE ARMIES OF THE DEMOCRATIC COUNTRIES THAT PROTECT THE PERSONAL FREEDOM AND RESPECT THE HUMAN RIGHTS AND THE CIVIL SOCIETY, MUST BE FOUNDED TO REPLACE THIS DIRECTORATE.
- 3. EDUCATION OF THE MILITARY FORCES ON LOYALTY TO THE STATE AND COMMITMENT WITH A DEMOCRATIC, PLURALISTIC AND PARLIAMENTARY GOVERNMENT AFTER CHANGING THE CURRENT REGIME. THE MILITARY FORCES MUST KEEP AWAY FROM EXTREMISM AND CHAUVINISM.
- DELEGATING MILITARY PEOPLE TO DEMOCRATIC COUNTRIES TO BE AWARE OFTHEIR DEMOCRATIC SYSTEMS AND MAKE USE OF THEIR EXPERIENCE.
- 5. BUILDING UP A GOOD RELATIONSHIP BETWEEN THE SOLDIERS AND OFFICERS TO REESTABLISH THE SELF-CONFIDENCE OF THE MILITARY FORCES AND IMPROVE THEIR MORALE CONDITIONS. THIS WILL BUILD UP A MILITARY IDEOLOGY AWAY FROM FACTIONAL, TRIBAL, OR ETHNIC AFFILIATION. IT WILL ALSO MAKE ALL THE MILITARY PEOPLE UNDERSTAND THAT THEY BELONG TO A STATE OF LAW, CONSTITUTION, STABILITY AND SECURITY, RECONSTRUCTION, AND BROTHERHOOD.
- 6. THE IRAQI ARMY NEEDS FUNDAMENTAL CHANGES IN THE SIZE, STRUCTURE, ARMS, AND TRAINING AFTER CHANGING THE CURRENT REGIME. THESE CHANGES MUST CONFORM TO THE MODERN DEFENSIVE MILITARY STRATEGIES FOLLOWED BY THE DEMOCRATIC COUNTRIES.

#### THE DEFENSE POLICY IN THE REGION:

THE DEFENSE POLICY OF ANY COUNTRY IS MADE BY ITS ELECTED CIVIL AUTHORITY. THIS POLICY MUST CONFORM TO THE INTERESTS OF THE COUNTRY AS WELL AS THE INTERNATIONAL LAWS AND REGULATIONS. THE NEW INTERNATIONAL SYSTEMS AND TREATIES DON'T ALLOW ANY VIOLATION OF THE INTERNATIONAL LAWS INCLUDING CARRYING OUT AGGRESSIVE ATTACKS IN THE AREA OR

ANYWHERE ELSE. THEREFORE, THE FOLLOWING PROCEDURES ARE RECOMMENDED:

- PROHIBITING POLICIES OF FACTIONAL OR ETHNIC DISCRIMINATION. ALSO, RESPECTING THE CONSTITUTIONAL FACILITIES OF THE STATE.
- PROHIBITING PRODUCTION OR PROCURING WEAPONS OF MASS DESTRUCTION OR THE OTHER UNCONVENTIONAL WEAPONS LIKE LONG-RANGE MISSILES. ALSO, DECREASING THE OTHER OFFENSIVE WEAPONS.
- 3. AS BEING A DEMOCRATIC, PLURALISTIC, AND PARLIAMENTARY COUNTRY, AND BECAUSE OF IRAQ'S REGIONAL AND INTERNATIONAL STRATEGIC GEOGRAPHY, IT SHOULD GET INTO NEW POLITICAL AND MILITARY TREATIES WITHIN INTERNATIONAL DEMOCRATIC COUNTRIES.

#### DEMOBILIZATION, DISARMAMENT, AND RETRAINING:

- IF THE INTERNATIONAL COMMUNITY IS DETERMINED TO RESCUE THE IRAQI PEOPLE, NEIGHBORING COUNTRIES, AND THE WORLD FROM THIS REGIME, AND AN INTERNATIONAL COALITION HEADED BY THE U.S. HAS BEEN FOUNDED FOR THIS PURPOSE, THE REGIME AND ITS MILITARY FORCES CANNOT RESIST AND WILL COLLAPSE SOON.
- 2. ANY INDEPENDENT STATE NEEDS A DEFENSIVE MILITARY FORCE TO PROTECT ITS INTERESTS, CONTROL THE SECURITY SITUATION, AND ENABLE IT OF IMPLEMENTING ITS PROGRAMS FOR DEVELOPMENT AND CONSTRUCTION.
- 3. THE IRAQI MILITARY FORCES MUST BE BUILT UP IN A MANNER CONFORMS TO GENERAL CIRCUMSTANCES AND THE CHANGES THAT TAKE PLACE IN IRAQ, THE REGION AND THE WORLD. THE IRAQI MILITARY FORCES SHOULD ALSO MEET WITH IRAQI DEFENSIVE NEEDS AND KEEP AWAY FROM AGGRESSIVE ACTS AND COMPLY THE INTERNATIONAL LAW.
- 4. SINCE THE IRAQI REGIME HAS WIDELY USED THE WEAPONS OF MASS DESTRUCTION AGAINST ITS PEOPLE AND NEIGHBORING COUNTRIES, IT AND HAS BECOME A THREAT TO THE INTERNATIONAL AND REGIONAL SECURITY, ITS WEAPONS OF MASS DESTRUCTION MUST BE ELIMINATED AND DESTROYED BY THE INTERNATIONAL ORGANIZATIONS AND IT SHOULD NOT BE GIVEN ANY CHANCE TO HAVE SUCH WEAPONS AGAIN.
- 5. DECREASING THE MILITARY FORCES AND TAKING THE FOLLOWING PROCEDURES:
- CANCELLATION OF THE SSO AND DEMOBILIZING ITS MEMBERS.

- CANCELLATION OF THE RG AND SRG FORCES.
- CANCELLATION OF THE POLITICAL GUIDANCE DIRECTORATE AND DEMOBILIZING ITS MEMBERS. ALSO, CANCELLATION OF THE POST OF SECURITY OFFICERS IN UNITS AND MILITARY FORMATIONS.
- THE DMI SHOULD BE RE-ANNEXED TO THE MINISTRY OF DEFENSE.
   IT SHOULD NOT HAVE ANY DIRECT CONNECTION WITH THE PRESIDENTIAL OFFICE.
- DEMOBILIZING THE RESERVE OFFICERS, SUBORDINATES, AND SOLDIERS FROM THE MILITARY SERVICE.
- DEMOBILIZING THOSE WHO ARE HAVING SERVICE DUE TO THEIR AGE.
- MAKING USE OF THE RETIRED OFFICERS WHO HAVE PHYSICAL AND LOYALTY QUALIFICATIONS AND HAVE BEEN RETIRED FOR NOT BEING LOYAL TO THE BA'TH PARTY AND THE REGIME.
- PENSIONING OFF THE UNNEEDED OFFICERS.
- WITHDRAWAL OF UNNEEDED WEAPONS AND AMMUNITIONS AND THE MILITARY EQUIPMENT FROM THE UNITS TO BE STORED OR DESTROYED.
- CHANGING THE PROFESSIONAL ESTABLISHMENTS INCLUDING PRODUCTIVE FACTORIES THAT BELONG TO THE ARMY OR THE MILITARY INDUSTRIALIZATION INTO CIVILIAN ESTABLISHMENTS.
- REVIEWING THE CURRENT MILITARY ORDERS AND REGULATIONS AND CHANGING THEM IN A WAY TO MEET THE REQUIREMENTS OF THE IRAQI MILITARY FORCES.
- ALLOCATING AN OVERT BUDGET FOR THE MINISTRY OF DEFENSE BY THE COMING IRAQI GOVERNMENT. THE BUDGET SHOULD BE APPROVED BY THE ELECTED PARLIAMENT OF IRAQ.
- KEEPING THE MILITARY FORCES IN THEIR BARRACKS.
- FINDING JOBS FOR THE UNEMPLOYED DEMOBILIZED PEOPLE IN ORDER TO REINTEGRATE INTO THE CIVIL SOCIETY.
- PROVIDING MODERN TRAINING PRINCIPLES TO THE MILITARY FORCES AND SENDING MILITARY DELEGATIONS TO SOME FRIEND COUNTRIES WHICH HAVE HELPED THE IRAQ PEOPLE IN GETTING RID OF THE REGIME.
- DISTRIBUTION OF THE MILITARY POSTS FAIRLY AMONG THE DIFFERENT COMPONENTS OF THE IRAQI PEOPLE. THE SAME THING MUST BE DONE FOR ADMISSION IN THE MILITARY ACADEMIES OR COLLEGES AND THE MILITARY TRAINING COURSES.
- IT IS NECESSARY TO REBUILD THE ARMY OUT OF VOLUNTEERS AND ABOLISH THE LAW OF COMPULSORY MILITARY SERVICE.
   ALSO, THE VOLUNTEERS SHOULD HAVE THE RIGHT TO PERFORM THEIR SERVICE IN THEIR FEDERAL REGIONS.
- THE MILITARY FORCES SHOULD BE INVOLVED IN DEVELOPMENT AND CONSTRUCTION PROGRAMS.
- THE PESHMERGA FORCES OF KURDISTAN REGION HAVE STRUGGLED FOR A LONG TIME TO HAVE DEMOCRACY AND KEEP THE INTERESTS OF ALL THE IRAQI PEOPLE. THEY HAVE RESISTED THE REPRESSION AND TERRORISM OF THE IRAQI

FORCES TO IMPOSE THE DICTATORSHIP ON THE PEOPLE. ALSO, THE PESHMERGA POSITIONS HAVE BEEN A STRONGHOLD FOR ALL THE IRAQI OPPOSITION FORCES AND GROUPS TO STRUGGLE AGAINST DICTATORSHIP AND TERRORISM.

THESE FORCES HAVE A LONG AND HONORABLE HISTORY IN THE MILITARY STRUGGLE. THEY ARE WELL-ORGANIZED AND PREPARED FOR DEFENDING DEMOCRACY, PLURALISM, HUMAN RIGHTS, AND RESPECTING THE CIVIL SOCIETY, THEREFORE, THE FOLLOWING PROCEDURES SHOULD BE TAKEN:

A) THESE FORCES SHOULD BE INCLUDED WITHIN THE FRAMEWORK OF THE MILITARY FORCES OF IRAQI KURDISTAN REGION.

B) GUARANTYING THE LIFE AND PENSIONING OFF RIGHTS OF THE PESHMERGA FORCES STRUGGLERS ACCORDING TO THE LAW.

### STRUCTURE AND DUTIES OF THE MILITARY FORCES:

- 1. THE DUTY OF THE MILITARY FORCES IS DEFENDING IRAQ AND ITS CONSTITUTION AND THE ADMINISTRATION ELECTED BY THE PEOPLE.
- IMPLEMENTATION OF ALL ORDERS, INSTRUCTIONS AND PROGRAMMES ISSUED BY THE ELECTED CIVIL AUTHORITY.
- 3. NON-INTERVENTION IN THE POLITICAL AFFAIRS.
- 4. EDUCATION OF THE YOUNG PEOPLE OF THE VARIOUS ETHNIC AND RELIGIOUS GROUPS -- KURDS, ARABS, TURKMANS, ASSYRIANS --ON PRINCIPLES OF DEMOCRACY, FREEDOM OF EXPRESSION, PLURALISM, FEDERALISM AND HUMAN RIGHTS.

THE AUTHORITY OF MOVING THE MILITARY FORCES SHOULD BE LIMITED AND CONFINED ACCORDING TO A CONSTITUTIONAL ARTICLE THAT KEEPS SUCH MOVEMENTS AWAY FROM FACTIONAL AND PERSONAL INTERESTS.

- 6. THE MILITARY BUDGET MUST BE APPROVED AND CONTROLLED BY THE ELECTED ADMINISTRATION.
- PARTICIPATION OF THE IRAQI MILITARY FORCES IN TRAINING AND MANEUVERS WITH ALLIED COUNTRIES.
- 8. ELIMINATION OF SUSPECTED TERRORIST ORGANIZATIONS WORKING AGAINST THE INTERESTS OF IRAQ, THE REGION, AND THE WORLD.
- PARTICIPATION IN CONTROLLING EMERGENCY CASES AND NATURAL DISASTERS.

WITH REGARDS.



### INFO MEMO

January 11, 2004

	January 11, 2007
FOR:	THE ADMINISTRATOR
FROM:	David C. Gompert, Senior Advisor for National Security & Defense
`SUBJECT:	A Thought on Kurdish Demands Regarding IAF Operations in Kurdistan

CC: Governance

OGC, CMATT (MG Eaton)



January 6, 2004

FOR:

MG Paul Eaton

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Commissioning of Officers for IAF

I would be happy to relieve Ambassador Bremer of the task of signing off on commissions, as CPA Order 22 permits. The process of finding, screening, recruiting and preparing officer candidates will remain as it is, principally your responsibility albeit with assistance from this office.

I am particularly eager to cooperate early in the process with you in regard to selection of three-star generals: CHODS and Commander of the IAF. However, you are running that process.

(III)(n)	
CC:	
CC.	



November 29, 2003

TO: Acting Director, National Security Affairs

FROM: L. Paul Bremer, Administrator 1 25

SUBJECT: NIA Program Support for ICDC and Appointment of Former General Officers

I want to be clear on two points concerning the understandings I reached in Washington on support for the expansion of ICDC and the appointment of senior leadership of the Iraqi security and armed forces.

My agreement to the new relationship between CMATT and CJTF was conditional on CPA retaining budget control within the terms of the appropriation over all the components of the security program in the Supplemental appropriation, including all the funds identified in the Supplemental for the NIA. I understand that support for the expansion of the ICDC to a total of 36 battalions will require approximately \$124 million above the \$76 million contained in the Supplemental; we will make those funds available by transferring provision either from the NIA Program or from elsewhere, depending on CPA overall priorities and in a manner consistent with the terms of the appropriation. I will also retain the authority to promote officers within the NIA until such time as I deem it prudent to relinquish this authority to a duly constituted Iraqi.

I have agreed to consider recommendations for the appointment of carefully vetted former Iraqi officers up to the colonel level for the NIA. Any appointments of former general officers in any of the services (NIA or ICDC) will have to be individually submitted for my approval after thorough vetting.

Former general officers, who can satisfy the restrictions of the De-Ba'athification policy, may be hired as civilians to fill authorized civilian public sector positions in the security agencies, just as they may similarly be hired and assigned as civilians in any other agency. But, as civilians, they are not entitled to wear uniform, nor rank nor other military insignia and are not entitled to any privilege beyond that which is associated with the position for which they are hired.

There will be some need in the future for similar legal frameworks for all the Iraqi security forces, but a CPA Order (eventually forming the basis of future Iraqi legislation) delineating New Iraqi Army (NIA) aid to the civil authority is a priority now.

COORDINATION: Deputy Administrator and Chief Policy Officer, Office of General Counsel CPA - ok

INDUSTRIAL COLLEGE OF THE ARMED FORCES WASHINGTON, D.C. 20319-6000

FROM:

DATE Of Dec 2003

TO: BG Dan Keefe, CUTF/C5

- for your sef. Documents his policy:

Funds to support ICDC expansion

· Appointment of somor milita & civilians

1/R,

MATIONAL DEFENSE LIPMERSITY INDUSTRIAL COLLEGE OF THE ARMED FORCES

DATE: 01 Dec 2003 FROM: Guidance meno from Amb Brand TO: - for your files. Documents his policy:

Funds to support ICDC exponsion

Appointment of senior military: civilians YR,

### INDUSTRIAL COLLEGE OF THE ARMED FORCES

FROM

DATE 01 Dec 2003

10: MG Eaton

- for your file. Documents his policy:

Funds to supposet I CDC expansion

Appointment of series military cairlier

1/R,



November 20, 2003

HIA.

TO:

Acting Director, National Security Affairs

FROM:

L. Paul Bremer, Administrator

Subject:

NIA Program Support for ICDC and Appointment of Former General

I want to be clear on two points concerning the understandings I reached in Washington on support for the expansion of ICDC and the appointment of senior leadership of the Iraqi security and armed forces.

My agreement to the new relationship between CMATT and CJTF was conditional on CPA retaining budget control within the terms of the appropriation over all the components of the security program in the Supplemental appropriation, including all the funds identified in the Supplemental for the NIA. I understand that support for the expansion of the ICDC to a total of 36 battalions will require approximately \$124 million above the \$76 million contained in the Supplemental; we will make those funds available by transferring provision either from the NIA program or from elsewhere, depending on CPA overall priorities and in a manner consistent with the terms of the appropriation.

There seems to be a misunderstanding regarding my agreement on the appointment of former tragi general officers. I have agreed to consider recommendations for the appointment of carefully vetted former Iraqi officers up to the colonel level, but I have not agreed to consider appointment of former general officers in any uniformed capacity. If there is a desire to reopen that issue, I am open to approach but have not, as of now, in any of the approved any policy to make such appointments.

Former general officers, who can satisfy the restrictions of the de-Ba'athification policy, may be hired as civilians to fill authorized civilian public sector positions in the security agencies, just as they may similarly be hired and assigned as civilians in any other agency. But, as civilians, they are not entitled to wear uniform, nor rank nor other military insignia and are not entitled to any privilege beyond that which is associated with the position for which they are hired.

I will also retain the authority so grandle affices within the MIA until such time as 2 down it prodent to such time as 2 down it prodent to relinguish this sustainly to an duly rough pure?

### UNCLASSIFIED

There will be some need in the future for similar legal frameworks for all the Iraqi security forces, but a CPA Order (eventually forming the basis of future Iraqi legislation) delineating New Iraqi Army (NIA) aid to the civil authority is a priority now.

COORDINATION: Deputy Administrator and Chief Policy Officer, Office of General Counsel CPA - ok

	(GS-13)	
From:	CIV	
Sent:	Friday, November 28, 2003 8:20 AM	
To:	(GS-13)	Direct 1
Cc:	Executive Secretary	Col; (FS-02)
Subject	ct: RE: TASKER: Changes to Memos on Command Relationship	NIA Program Support and The Role of CMATT and its
write for h		ges sounds like the "Guidance Memo", Amb Bremer asked us to s that came back and, as I recall, we made the changes and
	he second still puzzles me a bit – the sul e comeback copies.	bjects were only marginally related – we'll have to take a second
Thanks,		
7 100		
	Original Message	
	From: (FS-02)	Last Control of the C
	Sent: Friday, November 28, 2003 12:02	AM
	CIV	Col
	Cc: Executive Secretary; (hanges to Memo	Col os on NIA Program Support and The Role of CMATT and its
	Command Relationship	25 on ALA Program Support and The Role of CHAPT and Its
to		ing, but as per my initial e-mail, the Ambassador made changes ked to request that the second memo be coordinated with the
	Original Message	
	From: CIV	
	Sent: Thursday, November 27, 2	
	To: (FS-02)	
	Cc: Executive Secretary;	Col
	<b>Subject:</b> RE: TASKER: Changes its Command Relationship	to Memos on NIA Program Support and The Role of CMATT and
	I'm still a little puzzled by this - the wanted to see us.	here were no changes on the copy we got back - just a note that
	क्षेत्रचं वर्ग	
	Original Message	
		(FS-02)
	Sent: Saturday, Novemb	
	To: Executive Secretary;	Col
		Changes to Memos on NIA Program Support and The Role of
	CMATT and its Command	

Could you please advise the status of this tasker. It would be great if the revisions could be received tomorrow morning prior to your 12:00 meeting with Ambassador Bremer.

Thanks,

hap

----Original Message----

From: (FS-02)

Sent: Friday, November 21, 2003 12:08 PM

To: CIV

Cc: Executive Secretary

**Subject:** TASKER: Changes to Memos on NIA Program Support and The Role of CMATT and its Command Relationship

Ambassador Bremer has made some changes to your memo on NIA Program Support for the ICDC and asked that you review both the above-mentioned memos to coordinate the substantive points. We have put both memos in your box in the Executive Secretariat.

Thanks,

(b)(01

**Executive Secretariat** 



#### **ACTION MEMO**

DATE 11 November 2003

FOR: CPA Director of Management and Budget

FROM: Acting Director National Security Affairs

SUBJECT: New Iraq Army: Allowances

<u>Issue</u>: the case for a number of targeted allowances, to promote recruitment, aid retention and improve morale of NIA soldiers.

It is part of Coalition strategy to recruit NIA units that are, overall and at battalion level, fully manned and representative of the Iraqi population as a whole, and which are attractive to personnel from existing militia forces. There is strong anecdotal evidence (and a limited - at this stage - amount of empirical evidence from the intake of NIA recruits) that the levels of compensation for this voluntary army service are likely to frustrate this strategy, deter recruitment of some groups whom we would like to have in the NIA, and undermine our efforts to retain trained personnel:

- Discussions with leaders of the Kurdish community have revealed a strong desire to support the NIA, coupled with doubts that Kurdish volunteers would be forthcoming on the pay being offered or willing, without inducements, to train and be based in distant parts of the country.
- Recruiting strategy allows for training attrition, but we are having to recruit increased
  numbers of volunteers which drives up recruitment, training and pay costs. There is a
  small but growing shortfall in the strength of the first battalion which we will also have
  to repair by recruiting more soldiers than planned. Given the need to vastly accelerate
  the number of battalions and the timeline, this backfill requirement compounds the
  recruitment difficulty. In the case of the 3rd BN cohort, to fill a 757 man battalion we
  had to recruit (process, interview, create records for, medically evaluate, etc) 2900
  candidates.
- Of the 900 or so who entered training in August, 292 left before the first battalion
  graduated on 4 October. On the evidence of exit interviews, the single largest category
  of reasons concerned family worries, of two main kinds: anxiety caused by separation,
  and more specific concerns about the recruit's ability to look after dependents and unwell family members (see attachment).
- The protest by 200 members of the first battalion that pre-ceded the last End-Of-Month pay day was pay-related: the inadequacy of the basic pay and the lack of any

allowances. 30 ringleaders have been discharged, but the underlying causes of frustration and resentment need to be addressed.

To address these issues, we are considering providing minimal allowances to this all-volunteer force that more realistically reflect the nature of employment in the NIA, but would be targeted at underlying causes of complaint that are deterring significant numbers of military personnel from entering and remaining in service. The proposals are:

### 1. Housing Allowance.

The provision of family housing is widely established as a condition of service for soldiers, and there is funding within the FY 03/04 Supplemental appropriation for expenditure of \$144M on building family housing for NIA soldiers, a relatively high proportion of whom are married and have children. The housing is not planned to be available until September 2004, following an investment appraisal. In a culture where extended families are the norm, for example, other parents and grandparents, widowed sisters living with the male child of the family, and taking into account the very significant O&M costs associated with family housing, it will save money in the medium/long term to pay a housing allowance rather than build family housing on military installations. Providing family housing is a large undertaking that involves also providing (or making arrangements for) numerous other services like commissaries, banks, POV services, schools, transportation, etc. There may have to be limited housing of garrison staff, but the main deployable battalions could have their families reside at their existing homes. In any case, we should pay an allowance in lieu of the provision of family housing until such time as we determine the final policy.

How much? The average cost per month in Baghdad is between \$80 to \$120, depending on location, for a 2 bedroom apartment with bathroom, kitchen and living room. Currently many NIA family members rent space in other peoples' or family houses instead of having their own homes.

Enlisted Basic Allowance for Quarters (BAQ)	\$40 pe	r month	per marrie	d man		
NCO BAQ	\$50					
Officer BAQ	\$60					
Plus Enlisted Family Allowance		-2 child		-4 chile	fren); \$20 (5	5 or
Plus NCO Family Allowance	\$15	**	; \$20	4.	; S25	
Plus Officer Family Allowance	\$20		; \$25	**	;\$30	

An allowance using the chart shown above would cost \$137,000 (or ID 205.5M) annually per battalion. For the 27 battalions planned next year (CY 04) this would cost \$1.69M (or ID 2,539M). Funding can be made available through re-programming. Looking to CY 05, and extending the allowances to the full 40,000 personnel planned to be in the NIA, this would amount to some \$7.23M (ID 10,845M) per year. We would not propose to pay these allowances

<sup>&</sup>lt;sup>1</sup> In the first Battalion, 58% of officers; 49% of NCOs and 26% of enlisted men are married.

to recruits; they would become a condition of service for those who graduate successfully. It is likely this incentive would decrease attrition.

**Recommendation:** an allowance for married men, calculated by NIA status and number of children, payable once individuals pass their initial training.

### 2. Remote location/geographic separation allowance

This is the equivalent of a Geographic allowance under Order #30. The objective is to incentivize individuals to remain in the NIA by making provision for them to afford services that will assist their families in their absence, focusing on the additional costs incurred through the separation of families. One particular case is medical expense: currently, only the military member of a family is entitled to medical care from NIA and MOH medical personnel, prescription drugs etc. The family allowance would be designed to extend access to medical care to the wider family, including additional costs of care for elderly or sick relatives, and to cover costs of travel to obtain medical care, recalling that it is not usual for a female to drive a vehicle and that, with the husband away on military duty, families must rely on taxis and buses. Similar additional costs may arise for service children who use the state schooling system and may incur additional travel costs. The ability to return to the family home during short leave or time-off (pass) periods is very much compromised by lack of affordable and convenient transportation to/from NIA bases. This allowance can support the soldier's maintenance of contact with family, thereby increasing support for his service.

How much? We would distinguish between married and unmarried personnel. A maximum allowance of \$80 for every married man regardless of rank would cost \$245,000 (ID367.5M) per battalion per year. In the coming calendar year 04 this would amount to \$3.8M (ID5,700M) for the full 27 Battalions. In future years, allowances for 40,000 would cost an Iraqi Government \$14M (ID21,000M) per annum. For unmarried personnel, regardless of rank, we consider that \$20 per month would be reasonable compensation for costs of looking after parents and other close family. This would cost \$105,000 (ID157M) per battalion in a full year. In the coming calendar year this would cost up to \$1.65M (ID2,475M).

**Recommendation:** A separation/remote geographical location allowance for married personnel, regardless of rank, equivalent to \$30.00, plus \$25.00 per child, within a maximum allowance equivalent to \$80 (ID 120,000) per man per month. For unmarried personnel, regardless of rank, a geographical or separation allowance of \$20 (ID 30,000) per calendar month.

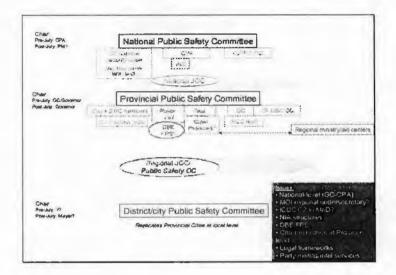
3. Specialist Allowances. All armies give supplementary pay for pilots, divers, EOD experts, parachutists, special forces and others. Most of these specialisms do not yet exist in the NIA and, when they do, we will consider categories of specialist allowance and make proposals. But we will be recruiting helicopter pilot officers, transport crews, aircraft engineers, aircraft mechanics and other aviation specialists shortly. In recognition of the exceptional risks that they run, as well as the likely availability of attractive employment opportunities outside the Services, we recommend paying a combined retention/hazardous duties allowance

**How Much?** The most effective way of using such an allowance would be to offer a recruitment bonus and then retention bonuses at intervals. We believe that such a bonus, amounting to 30%

of basic salary, would be the minimum required to have effect. This would cost, for the 2 squadrons planned for 2004, the ID equivalent of \$132,000.

### Recommendations

<ul> <li>Pay a housing allowance for married men, regardless of rank, equivalent in ID dollar amounts shown in the chart on page 2, payable once individuals pass th training.</li> </ul>					
	Approve:	Disapprove:	Approve with modification:		
•	equivalent in ID to to \$80 (ID 120,000)	\$30.00, plus \$25.00 per child, u per man per month. For unman	ried personnel, regardless of rank, up to a maximum allowance equivalent rried personnel, regardless of rank, a \$20 (ID 30,000) per calendar month		
	Approve:	Disapprove:	Approve with modification:		
•	A recruitment/retention allowance or bonus for NIA pilots and other air corps specialists of 30% of basic pay				
	Approve:	Disapprove:	Approve with modification		



Question: Should the regional bodies be the provincial Public Sefety Committees being set up to ensure oversight of the police or should they be specially constituted under emergency legislation with a sunset clause? If so, they could overlap with the PS cities.

The current model envisages CPA involvement but this will phase out by July 2004.

The structure of Public Safety (or Security?) Committees will hang off the Iraqi political structure (national government, to governorate/Provincial Council, to district and city governance bodies). Coordination will take place with Iraqi ministries, security services and the Coalition at the national, provincial and local (major city) levels. The aim of the committees is to [integrate] [coordinate] policy development and decision-making on security and public safety related affairs. The committees would be under civilian leadership, Iraqi and coalition security forces would assist the civil power within the appropriate legal framework (e.g. Policing legislation; Defense Aid to the Civil Power; bilateral defense agreement).

The Committee tasks are to coordinate political, economic, development, communications and security policies in support of nation building and national development with efforts to mitigate and manage violence, in particular to counter politically motivated violence from insurgents and terrorists.

#### National Public Safety Committee

The national committee can build on the GC national security committee and could ultimately form a cabinet committee, perhaps with a CF military advisor in attendance. Participation should be by the civilian ministers from relevant ministries, not from security force personnel. They may be invited to participate in meetings where their advice is required.

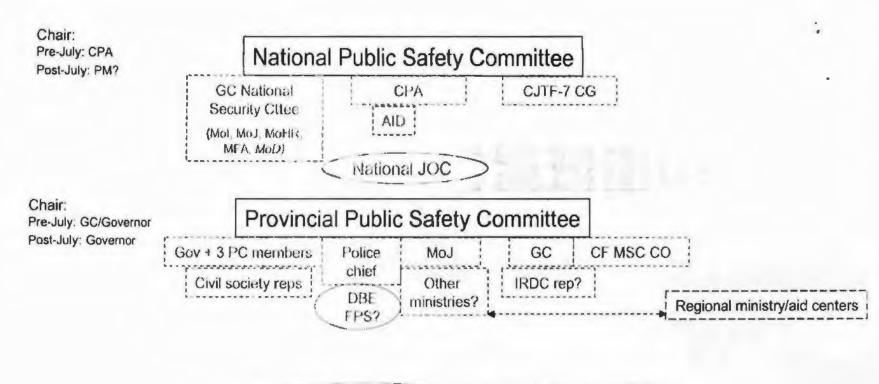
### Provincial Public Safety Committee

The Provincial PS committee provides political and operational level direction of the COIN campaign in its governorate as well as coordinating policy and resources on other public safety matters. The Citee should be under local civilian control to ensure accountability and transparency (governor, 3 PC representatives

Joint Operations Center/Public Safety Operations Center: The aim is to provide common command, control and communications arrangements for civil defense, facilities protection and police operations at governorate or at regional level. This will be supported by a national communications and command and control network. The <u>Public Safety Mutual Aid Plan</u> places a duty on governors to establish coordination arrangements amongst the Interior Ministry services in their area.

#### ssues

- National-level (GC-CPA) -- are the GC structures robust enough to use? Is CPA willing to share decision-making on these matters with the GC?
- MOI regional undersecretary? what place do the regional under-secretaries have in this model?
- ICDC C2 to MoD? This model assumes that ICDC command and control is under the JFHQ and the MoD;
   although OPCON may be to CJTF-7 until some later date.
- NIA structures this model assumes there will be a suitable NIA command level to interface at the provincial level. In fact, NIA basing may be such that some provinces have no NIA representation.
- DBE and FPS representation may be useful on the Provincial or district level, or perhaps just on the Operations
  Center. This will be especially true where a province includes a border or major FPS assets (e.g. a pipeline)
- Other ministries at Province level. At provincial level, it will be valuable to have input from MoJ, MoHR but also from other ministries (e.g. transport, utilities)
- Legal frameworks The legal basis for security force interaction and civilian oversight needs to be laid down.
- Party militias/intel services In practice, in some Iraqi provinces today, party militias and intelligence services
  are a part of the local security structure (e.g. KDP, PUK, Badr Bde). A pragmatic option would be to allow
  Provincial Councils to co-opt the local militia/party chief onto the committee and to coordinate security matters.
  Philosophically, the CPA is committed to removing militia influence and ensuring that the state has a monopoly
  on force. This argues for the exclusion of militia leaders from the local security structure.



| Koglonal JOC/ | Puritle Safety OC

Chair: Pre-July: ?? Post-July: Mayor?

### District/city Public Safety Committee

Replicates Provincial Cttee at local level

### Issues:

- · National-level (GC-CPA)
- · MOI regional undersecretary?
- ICDC C2 to MoD?
- NIA structures
- · DBE/FPS
- Other ministries at Province level
- Legal frameworks
- · Party militias/intel services



#### INFO MEMO

June 2, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security Affairs

SUBJECT:

June 3rd Meeting with Minister of Defense Shalan

This will be your first official meeting with Minister of Defense Hazem Shalan al-Khuzael (short bio below). The minister will be accompanied by his close confidante,

Fred Smith and I had a dinner and a far-reaching discussion with Minister Shalan and Tuesday evening. While he has much to learn about running the ministry and military forces, Shalan is anxious to get involved in national security issues. He wants the Iraqi Armed Forces to work closely with the MNF-I, especially given his recognition that Iraqi forces are still deficient in many areas and dependent on U.S. and coalition forces. He was particularly encouraged by a meeting he had today with General John Abizaid, who assured him that coalition forces are ready to work with the IAF, including joint patrols, liaison officers, and staff officers in the MNF-I headquarters. Shalan is highly skeptical about the ICDC, although John Abizaid gave an upbeat assessment on the ICDC's effectiveness in some areas.

Shalan is a staunch secularist. He bristled upon hearing that we have hired several people who were recommended by the Da'wa Party and SCIRI; we impressed upon him that the ministry must be representative of all Iraqi people and that people have been hired based on merit.

Fred and I stressed the qualities of Secretary General Bruska Shaways and the top generals and the importance of shielding civil servants from political change. While appearing to accept this, the Minister seems to be under pressure from his side-kick to make him a Deputy Minister – unfortunate, but not worth a fight, in my opinion.

Points you might wish to impress upon Minister Shalan:

- While everyone has a tendency to get involved in military tactics, standing up the
  ministry should be his top priority. Much work remains to be done in hiring talented
  people and appointing senior military officers, integrating the civilian and military staffs,
  and establishing rules and regulations.
- Minister Shalan will be a key player on the MCNS. You should stress to Shalan the
  importance of the MCNS and how it is the principal decision making forum for national
  security issues. Shalan must work closely with the other ministers, especially with the

Minister of Interior, and the Director General of the INIS during this period of national emergency.

- Shalan will also be a key player in making the security partnership work. As the senior
  Defense official, he will be involved in the political coordinating mechanisms. The U.S.
  is serious about this being a partnership, and we look for active Iraqi participation.
- David Gompert will be available to assist Minister Shalan in any way possible until June 14<sup>th</sup>. Fred Smith will be here until June 30<sup>th</sup>. After that, the U.S. (and UK) will have an advisor team to provide assistance, along with Lieutenant General Dave Petraeus and the Office of Security and Transition to help man, train, and equip the Iraqi Armed Forces.

### Bio of Hazem Shalan Al-Khuzael

Mr. Shalan is Sheik of the Ghazal Tribe. He earned his degree in economics and management from Baghdad University in 1972 and began his career managing the Kut Dewanyah branches of the Iraqi Real Estate Bank. He served as Inspector General of the main branch in Baghdad from 1983-1985. He was forced to leave Iraqi in 1985 because of his opposition to the former regime and managed a successful real estate firm in the U.K. He has been governor of Diwaniyah since April 2003. He was born in 1947 in Diwanyah.

COORDINATION: None



### COALITION PROVISIONAL AUTHORITY

#### BAGHDAD

LPB HAS SEE

**INFO MEMO** 

May 12th 2004

FOR:

The Administrator

FROM:

David C. Gompert, Director of National Security Affairs

SUBJECT:

Iraqi Integration into MNF-I Command Structure

Just as partnership is a compelling post-occupation political idea, unity of command is essential for operational effectiveness. In principle, both can be achieved by treating the Iraqis as an integral part of the coalition – "a principal partner" in the words of the TAL. Aside from the high-level consultative mechanisms we have proposed to Washington, this partnership principle begs the question of how Iraqi units and officers fit into the new MNF-I force and command structures.

The option of continuing simply to assign Iraqi battalions to US and other foreign commands, as has been the practice during the occupation, will not suffice. Apart from Iraqi resentment, such an approach could give rise to a shadow Iraqi command chain, through which direction would come from Iraqi Joint HQs to Iraqi units. Such dual direction is, of course, the most dangerous threat to unity of command. Lastly, only by involving Iraqis in the MNF-I command and control structure in a meaningful way will we be able to build their C2 competence.

CJTF7 is planning to assign Iraqi liaison officers to the MNF-1 C2 structure. This is fine but way short of adequate. Two additional, more substantial steps are needed:

- Iraqis should hold significant staff positions in the structure, just as officers from the UK
  and other coalition partners will. I believe the Iraqis should have a deputy command
  position in either the 4-star MNF-I or the 3-star MNC-I command posts, as well as
  deputy or other staff positions down the unified chain.
- Iraqis should hold senior operating commands within the force structure. Initially, this
  should be at the brigade level, meaning that Iraqi battalions are assigned to Iraqi
  brigades, not US or other foreign ones. As soon as possible, Iraqi divisions should
  appear in the force structure. Over time, the command structure will evolve toward one
  of greater Iraqi responsibilities and larger Iraqi structures as the Iraqi contribution to the
  MNF-I increases and foreign contributions decline.

These matters are not settled in the design of the new command. But they will surface as soon as the command structure is revealed. Moreover, the creation of the IIG, along with the

introduction of an UNSCR calling for Irawill require that we craft an operationally		
I have not coordinated this memo with C will be airing these views with days ahead.	JTF7, wanting only to share (CG, MNC-I) and	(CoS, MNF-I) in the

Let me know if you want to discuss.

CC Dick Jones



### INFO MEMO

May 4th 2004

FOR:

The Administrator

FROM:

David C. Gompert, Director, National Security and Defense

SUBJECT:

Talks With Barzani

I intend to go to Erbil on Thursday in hopes of settling with the KDP on peshmerga transition and reintegration. Although Barzani will say that KDP cannot reach a definitive agreement without consulting with PUK, I will try to enlist his help in selling the approach to Talabani. Moreover, with all other militia essentially on board, Talabani should feel some pressure.

After further reflection and discussion with colleagues who are dealing with other Kurdish issues, I remain of the view that it is best to try to settle the pesh T&R on its own merits. I would prefer not to raise other demands (e.g., Kirkuk, PKK, Koreans) while trying to get agreement on the pesh. Nor do I think it will be necessary to offer any inducements (Erbil airfield, money) in order to get agreement. This will leave the rest of the Kurdish agenda to be tackled by others and ultimately by you. As you know, once we settle on pesh T&R we will have a stronger hand on at least two issues: removing pesh from Kirkuk and Mosul, and applying pressure on the PKK.

While not eager to link pesh T&R to other issues, I am prepared to carry any messages you wish. At a minimum, I could tell Barzani that you want to have a tour d'horizon within the next week, either in Baghdad or Erbil.

Please let me know if you have additional guidance or want to discuss.

CC:	Governance (	, CJTF7 ( BG Sargeant),	Dick
Jones			





INFO MEMO

April 16, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Director, National Security and Defense

SUBJECT:

Choice of Iraqi Chief of Staff for Ministry of Defense

I hope this is not too confusing. The charts at Tab C should help.

ATTACHMENT: Charts

UNCLASSIFIED

Military	service	number:	- N
W. C. W. W. D. St.		With Sunday of the San	

Rank: MG

Branch: Infantry

Place of birth: Baghdad

Nationality: Arabic

Full name:

Religion: Muslim

Date commissioned to the army: Nov. 27, 1968

Date of last promotion: Jan. 6, 1997

Type of service: permanent

Service status: continuous

Rank in the Baath party: Not level four

Last position held: without position / the near reserve directorate

Qualifications:

Degree	College	Specialty	Graduation year
B.Sc.	Pakistani military academy	Military science	1970
B.A.	The college of literature Mustansiriya University / Iraq	English language	2001

### Medals and decorations:

Gallantry Medal	1
Um Al-Maarik medal	3
Gallantry medal	1

### Training courses:

Qualified good during seven training courses

### Training Emphasis:

- 1. information update
- 2. electronic warfare for staff officers
- 3. leadership for young officers
- 4. air defense for formation commanders
- 5. staff officers duties
- 6. tactics and fighting groups for company commanders

### Last positions held

The unit	The title, position	The date he started
3rd core HQ	Administrative manager	1996
Military academy	Dean	1996
Military academy	Senior staff officer	1993
Training directorate	Supportive branches staff officer	1992
Training directorate	Employment	1992
War school 2 <sup>nd</sup> core	Scholl commander	1992
7 <sup>th</sup> core HQ	Engineering supervision commission manager	1991
The infantry directorate	1st command officer / 2nd section	1989
UN observers coordination commission	Without position	1998
The armor directorate	2 <sup>nd</sup> command officer / 2 <sup>nd</sup> section	1988
Army staff HQ	According to post	1987
Military academy	Recruiting and organization teacher	1987
Military academy	Training staff officers	1986
Military academy	According to post	1984

The accusation against him in the law suit numbered according to act no. 1 of the article 119 and according to the authority given to the minister of defense number 44 for 1941 the legal procedures against him is stopped (3080/2001) up fronted to the general attorney according to the letter numbered 2683 on Feb. 20, 2002

	Control Services and Services	-				-
- 1	INW		F-100-51	36 64	100	1
- 1	I NI W			-	104	1 3

WEIGHTED
WEIGHTED

- Lower score is better
- Weighted numbers are relative values out of a total of 10
  More weight to the future rather the past

Military service number:

Rank: staff Lt. General

Branch: Armor

Place of birth: Baghdad

Nationality: Arabic

Full name:

Religion: Muslim

Date commissioned to the army: Nov. 6, 1959

Date of last promotion: Jan. 6, 1987

Type of service: permanent

Service status: continuous

Rank in the Baath party: Not level four

Last position held: without position / the reserve directorate

Qualifications:

Degree	College	Specialty	Graduation year
Post graduate diploma	The soviet union	Military science	1980
M.Sc.	Staff college	Military science	1971
B.Sc.	Military academy	Military science	1962

### Medals and decorations:

The party medal	1
Um Al-Maarik medal	2
High deserve medal	1
Gallantry medal	4
The injured medal	1
The Rfidain Medal, class 3	1

### Training courses:

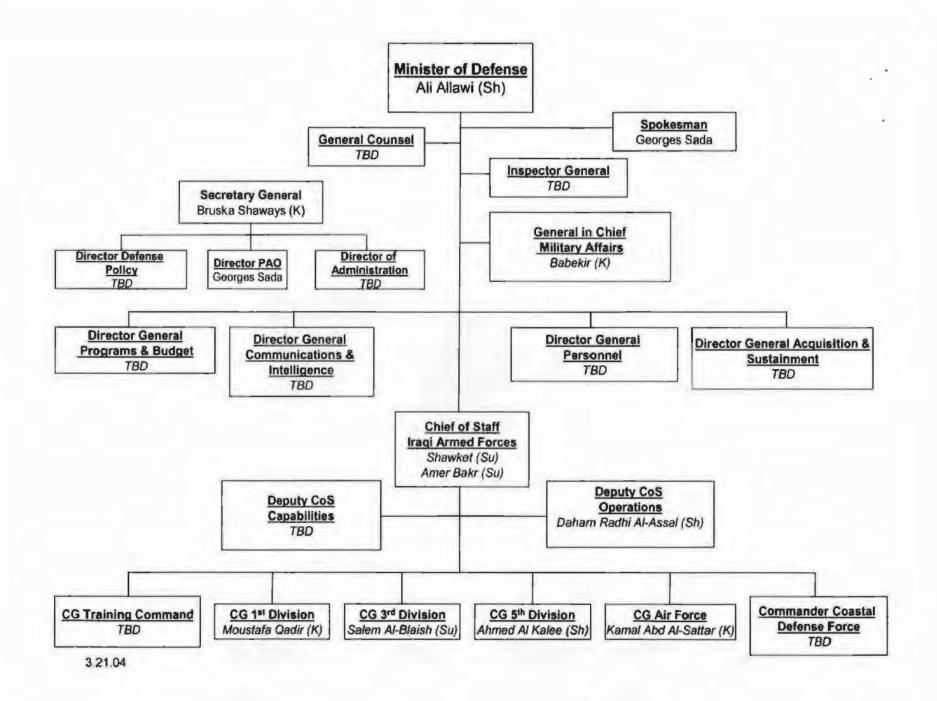
Qualified good during three training courses and very good during another three training course

### Training Emphasis:

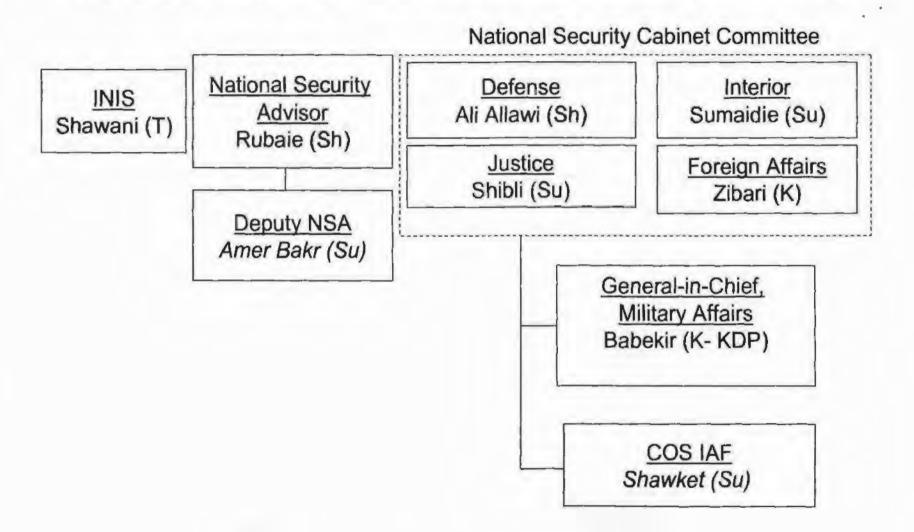
- 1. communications between helicopters and ground units
- 2. staff training and leadership for armor
- 3. advanced armor staff officers training
- 4. maintaining and servicing at the battlefield
- 5. staff officers training course
- 6. regiment commanders training

### Last positions held

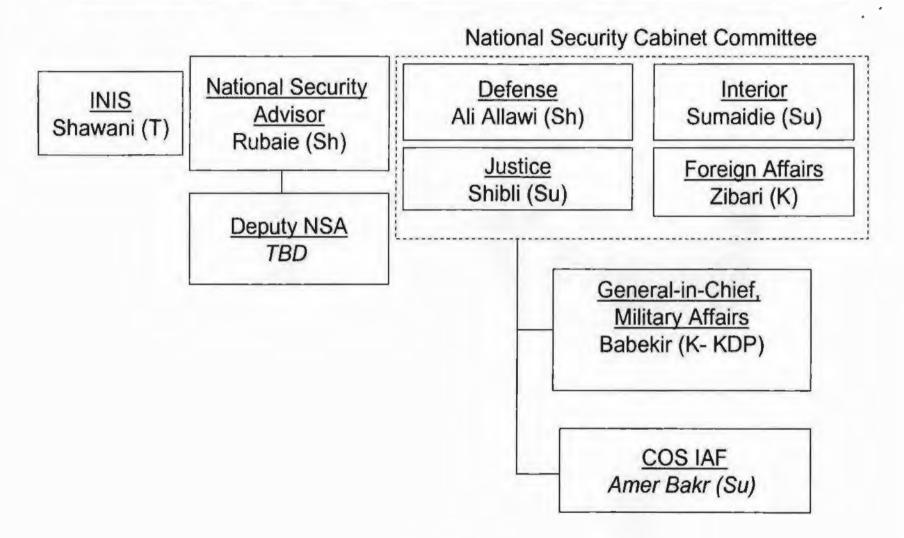
Without position The head of the directorate According to post	2001 1999
According to post	
	1993
Without position	1992
Core commander	1987
Core commander	1986
General secretary	1986
Core commander	1986
Core commander	1985
Chief of staff	1984
Manager	1984
The general secretary of the ministry	1983
Division commander	1982
	Core commander General secretary  Core commander Core commander Chief of staff Manager The general secretary of the ministry



### Potential Top Tier Iraqi National Security Leadership



### Potential Top Tier Iraqi National Security Leadership





### INFO MEMO

March 18, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Terms of Reference for National Security Advisory Staff and Counterterrorism

Advisory Team

Attached are terms of reference for the National Security Advisory staff, which will support the Iraqi Ministerial Committee for National Security, and for the Counterterrorism Advisory Team. Both will be within my office, but will work with CPA, CJTF7 and Iraqi's across the full range of national security and defense. Both are being formed without delay.

### ATTACHMENTS:

TAB A - Terms of Reference for CT Advisory Team
TAB B - Terms of Reference fo National Security Adviosry Staff

CC: Policy Planning; CJTF-7; OGA; OGC; MoFA; MOF; Governance; MOI; Dick Jones

### Ministerial Committee for National Security Advisory Staff Terms of Reference

Purpose: The national security advisory staff supports the work of the Ministerial Committee for National Security.

### Scope of Work

- It coordinates the work of the various agencies and Ministries represented on the MCNS and others as relevant
- It prepares advance materials for MCNS meetings
- It ensures that information is shared among and provided to all relevant agencies and ministries
- Maintains awareness of implementation of policy and supports MCNS oversight of policy implementation
- Establishes working groups representing various ministerial and agency staff, as needed, to resolve and pursue specific topics.

### Composition of Group

- Iraqi National Security Advisor (once named—will play role until then)
- · Senior Advisor to the Iraqi National Security Advisor (once named)
- Iraqi National Security Advisory staff, seconded from other Ministries and agencies, plus specifically hired staff, if any
- · Specially assigned CPA staff dual-hatted to support this structure
- Non-Iraqi participation expected to decline over time

# Ministerial Committee for National Security Advisory Staff Counterterrorism Advisory Team Terms of Reference

Purpose: The counterterrorism advisory team serves as a resource of counterterrorism expertise for the various ministries, agencies, and government structures of Iraq. It engages in analytical and planning support on a general level and for specific issues and events.

### Scope of Work

- · Assess the overall threat
  - Prepare analytical assessments that provide a comprehensive sense of the terrorist threat facing Iraq. These should address various forms of terrorism and the broad range of groups.
  - o Both short and long-term
  - Draw on Iraqi and coalition intelligence assets and other sources of information
  - Ensure that information is shared among and provided to all relevant agencies and ministries
- Develop counterterrorism strategy
  - Based on the threat assessment and working with relevant ministries and agencies, develop a response plan, drawing on historical and international experience as well as factors unique to Iraq.
  - Assess needs and capabilities to implement this strategy across agencies and ministries, including an IO campaigns
  - o Identify requirements and mechanisms to meet them
  - o Support as needed ministry and agency efforts to implement this plan
- · Prepare for Arbaeen and other specific events with high risk
  - In support of relevant ministries, develop preparation and response plans, including IO campaigns
  - Remain available for ministry and agency leadership and staff to draw on expertise
- Other duties and efforts as requested by ministries and agencies
- Regular briefings on work to date provided to MCNS

#### Composition of Group

- Specially assigned CPA specialists (team led by Andrew Rathmell and Jim Steele).
- Specialists from other coalition countries provided in support of the initiative.
   This participation may be in person or through papers and short-term visits
- Iraqi counter-terrorism specialists
- Non-Iraqi participation expected to decline over time

#### Structure

- The Counterterrorism Advisory Team will be a component of the National Security Advisory staff. In the CPA structure, it will fall under the ONSA, although individual CPA personnel will report to other organizations within CPA.
- It will be available to the MCNS, National Security Advisory staff, and ministries and agencies of the Iraqi government, as needed

### Time-Frame

- Work will begin immediately, with Arbaeen preparation as a critical initial focus, even as broader work also commences.
- · Group's work is indefinite



#### INFO MEMO

March 9, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Senior Defense Advisors for Iraq

The British have responded smartly to our request to plan and organize a team of memors for the Iraqi MoD, to be set up between April 2 and July 1. Understandably, they have suggested heading up the team within MoD. Given their superior experience in this sort mentoring around the world, as well as the similarity of the Iraqi MoD to theirs, I accepted this suggestion in principle some time ago.

Meanwhile, as you know, our plan for delivering US military assistance to Iraq involves the formation of an Office of Security Cooperation (OSC), including CMATT (and CPATT). The US Mission is expected to provide policy guidance for OSC's force-building program to ensure synergy with the Mission's continuing defense and security institution-building effort. We plan on having a senior official of the US Mission perform this role – not unlike the role I play.

These two needs present us with the following question: Who is the Senior Advisor for the Iraqi MoD? I told Secretary Rumsfeld that I would come up with a solution that provides US oversight, preserves a key UK a role within the MoD, and optimizes our Iraqi institution-building strategy. The solution, agreed by London, is as follows:

- The United States will have a "Senior Advisor for National Defense" to:
  - o provide policy guidance to OSC/CMATT
  - provide policy guidance to the US and coalition defense institution-building effort as a whole
  - o be available on request to advise the Minister of Defense
  - also be responsible for helping the Iraqis develop the inter-ministerial national security system, perhaps advising the Iraqi National Security Advisor upon request.
- This US Senior Advisor would work out of the US Mission, not sit in the MoD.
- The UK will have a "Senior Advisor to the Secretary General (SG) of the MoD". The
  SG will be, in effect, COO of the MoD, just as the Permanent Under Secretary is in the
  UK MoD. The British advisor will sit in the MoD and provide continuous personal
  mentoring to the SG.
- The Minister will not have an assigned mentor, which would be politically awkward in that it would imply a direct hand in Iraqi defense policy.

UNCLASSIFIED

• Each of the other 8 or so UK, US and other mentors in the MoD will be referred to as "Advisor to (Iraqi official)".

 The leader of the MoD in-house mentoring team would be the UK Senior Advisor to the Secretary General.

I do not believe the US Senior Advisor for National Defense could satisfy the significant need to mentor the MoD SG – thus the two jobs. While there is a clear difference between the role of the UK Senior Advisor to the MoD Secretary General and that of the US Senior Advisor for National Defense, team-work will be essential to ensure harmony between the former's daily work in the MoD and the latter's broader and higher institution-building oversight.

Another option floated by the British is to name a US Senior Advisor for National Security and Defense, to whom both a UK MoD Senior Advisor and a US Senior Mol Advisor would report. I advise against this additional layer.

I will let DoD know about this approach and work with London and Washington to make it happen and make it work. If you find it sensible.

Dove Chang by me, but we read Sec Def's asreemant.



#### INFO MEMO

February 7, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Meeting with Allawi

This is an informal opportunity to confirm agreement between us and Allawi on the conclusions to date of the advisory consultations on Iraq's future national security institutions. Allawi agrees that the attached summary will be sent by him to the IGC, assuming the security committee concurs. He and I will discuss the summary at the regular Thursday committee meeting. Depending on how that goes, we could present to the IGC of Feb 18 or Feb 25. I would recommend the later date, since it would give us a chance to cover plans for the INIS in the committee and then include them in the summary to the IGC. You should confirm that you will be at the IGC meeting, which you routinely attend.

I would be surprised if there is any disagreement on the substance of the summary, since Allawi and co-authored it.

What is missing from this summary is the description of the two-tiered (presidency-cabinet) national-security decision-making mechanisms we have crafted (also attached). This is because I have not yet advised the security committee about this, given the uncertainty about the nature of the presidency. We could agree with Allawi that we could take this up in the next security committee meeting and then include it in the summary and presentation to the IGC.

As I mentioned to you, Allawi and I have not reached closure on the question of what decisions should require unanimity of a multi-person presidency. I believe he will accept that unanimity is required for domestic use of the IAF, given nation-wide unease about army interference and Kurdish insistence on this. He may be harder to persuade that unanimity should be required to declare war, owing to his fear that and a pro-Iranian member of the presidency could stymic national defense against Iranian aggression. I have argued that unanimity is the right rule at least during the transition period, given the importance of national unity on any matter of war and peace and also the fact that the multinational force presence would deter such aggression. As you know, he is very worried about Iranian-Islamist links and plots.

On tactics, we should decide which individual IGC members to pre-brief and who should do it. Allawi should handle these, though I can help.

ATTACHMENTS: Advisory Consultations; TAL Language

UNCLASSIFIED

Tel.

# Advisory Consultations between the Security Committee of the IGC and CPA/CJTF-7: Report to the IGC on Progress Dr. Ayad Allawi, Chairman of the Security Committee February -04

Jans Jours

In line with the November 15, 2003, agreement between the CPA and the IGC, David C. Gompert was appointed by CPA as senior advisor to help lay the groundwork for transfer of sovereignty to an Iraqi transitional government with effective national security institutions.

- 2- Mr. Security Committee since his appointment. He and I serve as the heads of the Advisory Consultative Group comprised of the Security Committee of the IGC and his team of senior officials and officers from CPA and CJTF-7. The group has based its work on a plan, suggested by Mr. and accepted by the Security Committee, which addresses concepts, principles, and plans for permanent Iraqi national security institutions.
- 3- Security is a key underpinning of sovereignty and a prerequisite for the success of a democratic, pluralistic Iraqi state. Providing security is an obligation of government to the people of Iraq, who were victims of a regime that provided for its own security at their expense.

- 4- When the current emergency abates and the need for help from Iraq's friends declines, Iraq's security will depend on its own institutions and capabilities. Iraq will continue to face both external and internal security problems. Therefore, it will need capable armed forces and police under the civilian control of ministries of defense and interior. Moreover, Iraq needs mechanisms and able people of high integrity to provide for national security policy-making and civilian command authority over its armed forces and other security services.
- 5- The group has reached conclusions on a number of critical issues concerning national security decision-making structures, roles and capabilities of Iraqi Armed Forces and internal security forces, and the Ministry of Defense.
- 6- We must put past practices behind us and create new structures appropriate to Iraq's real security needs and new democratic ways, based on the Transitional Administrative Law, a future constitution, other laws and the trust of a well-informed public.
- 7- National security policy- and decision-making should be centered in a Cabinet Committee for National Security, chaired by the Prime Minister and comprised of the Ministers of Defense, Foreign Affairs, Interior, Justice, and other ministers as appropriate for specific issues.

- 8- The Cabinet Committee for National Security will be augmented by the chief of the defense staff, a national security advisor, and the head of the national intelligence service, who will be selected by and report to the Prime Minister.
- 9- Civilian control of the Iraqi Armed Forces is of critical importance. It would be under the authority of the prime minister of the government of Iraq, as commander in chief, and through a civilian minister of defense.
- 10-The committee has sought to define and institute merit-based recruitment of senior civilian officials and military officers for the Ministry staff.
- 11- In addition to the Minister, civilian control will be exercised by a secretary general, deputy secretaries, and an inspector general. The senior-most military officers will be the Chief of the Defense Staff and the Commanding Officer of Iraqi Armed Forces. The former will be senior military advisor to the Minister and to the Cabinet Committee.
  The latter will report directly to the Minister of Defense.
- 12-The purpose of the armed forces shall be the defense of the security and territorial integrity of Iraq. The Iraqi Armed forces will be an efficient, capable, and modern volunteer force of modest size. It will also include a reserve force that can be called upon to augment the regular IAF in the event of national crises.

- 13-The Iraqi police forces must be able to deal with the majority of foreseeable internal security problems. The police will therefore require a range of capabilities, to include quick response forces.
- 14-The head of government may assign selected elements of Iraqi Armed Forces to support the Ministry of Interior for domestic safety and security purposes only in extraordinary circumstances when threats exceed the capacity of Iraq's internal security forces to safeguard the state and the people of Iraq.
- 15-There will be no militias and armed forces not under the command structure of the Iraqi Government, except as provided by federal law.
- 16-Future discussions of the Security Committee will work through a range of other issues. These discussions will support the establishment of the MOD by April 1. However, the Committee's work will not be completed at that time, and it will continue to meet to finalize critical issues.
- 17-As a chairman of the security committee I look forward to making a full presentation to the governing council. I believe that David Gompert and Ambassadors Bremer and Greenstock, as well as some members of their staffs should participate in this meeting, which I hope will take place in the next 2-3 weeks.

- Decisions to declare war shall be taken unanimously by the Presidency Council upon the recommendation of the Prime Minister, and shall require the majority approval of the TNA.
- Decisions to conclude peace, to use Iraqi Armed Forces internally during peacetime, and to deploy or use forces abroad shall be taken unanimously by the Presidency Council upon the recommendation of the Prime Minister. The TNA may veto any of these decisions by a two-thirds vote.
- There shall be established a Cabinet Committee for National Security composed of the Prime Minister, Minister of Defense, Minister of Internal Affairs, Minister of Justice, and Minister of Foreign Affairs. Other Ministerial level officials may also be included on an ad hoc basis. The Chief of the Defense Staff, Director General of the INIS, and the National Security Advisor will also participate. It shall be chaired by the Prime Minister and its role shall be to decide matters of national security policy.
- There shall be established a State Council for National Security, composed of the Presidency, the Prime Minister, Minister of Defense, Minister of Internal Affairs, Minister of Justice, Minister of Foreign Affairs, Chief of the Defense Staff, Director General of the INIS, and the National Security Advisor. Other Ministerial level officials may also be included on an ad hoc basis. It shall be convened by the Transitional Presidency Council and its role will be to advise the Presidency Council on its decision-making.



# COALITION PROVISIONAL AUTHOR THESE

#### INFO MEMO

January 5, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Discussion with Iyad Alawi

CPA is ready to begin high-level national security consultations, and we cannot wait any longer for them to start. We should press for agreement with Alawi on how to proceed.

The National Security Committee of the GC has become an active body, whether or not Alawi is in the chair. It is clear to me that this committee of 13 must serve as the "large group" to which Alawi has referred. We should tell Alawi that he and I should present our plan for the advisory consultations (attached) at the regularly scheduled meeting this Saturday.

Alawi also wants a "small group," as you know. I have concluded that the best, perhaps only, way of doing this is with the knowledge and consent of the GC National Security Committee. Anything else could backfire. With Alawi's agreement, I should be the one to appeal to the full committee to form a small sub-committee, based on the practical need to have a few counterparts with whom we can interact frequently, at short notice, and on details. The sub-committee would answer to the committee, with whom my team would meet weekly.

As a proper sub-committee and with the intent of meeting with full committee weekly, membership in the small group might be less of a problem.

I can cover all this during our meeting with Alawi; but I wanted you to be aware of the approach. We also need to tell Alawi that this consultative mechanism will not be used to address post-7/11 security arrangements. It should be strictly to help them create permanent security institutions.

Apart from this, I have a few other matters to take up with Alawi that do not require your presence. He and I can retire to my office. Please let me know whether you want a word with him in private before I join you.

ATTACHMENT: Strategic Advisory Consultation on Iraqi National Security Structures

COORDINATION: DCG

#### Strategic Advisory Consultation on Iraqi National Security Structures

#### Work Plan

#### 1. National Security Oversight

Week of January 10

- Command and Control of Armed Forces
- · Policy- and Decision-making System
- Ministry Responsibilities
- Inter-ministerial Coordination
- Key Principles and Laws
- · Issues and Practical Steps

#### 2. Armed Forces for Internal and External Security

Week of January 17

- National Defense
- Internal Security Emergencies
- · Law Enforcement
- Capabilities
- · Roles, Missions, and Reporting
- Key Principles and Laws
- Issues and Practical Steps

#### 3. Ministry of Defense

Week of January 24

- Functions: Civilian and Military
- Organizational Structure
- · Policy-making.
- · Forces and infrastructure.
- · Key Principles, Laws, and Regulations
- Issues and Practical Steps

#### 4. People

Week of January 31

- Key Leadership Positions: Roles and Qualifications
- Key Officials
- Exchange of Ideas on Individuals
- · Process of Recruitment, Training, Placement
- "Good Governance" Principles, Laws, Regulations

#### Strategic Advisory Consultations Work Plan Page 2

· Issues and Practical Steps

#### 5. Setting and Meeting Requirements

- Determining Needs
- · Costs: Fixed, Operating, Investment
- Affordability
- Responsibilities
- · Key Principles, Laws, Regulations
- Issues and Practical Steps

#### 6. Further topics:

- In-depth MoD design.
- National Security Information Architecture
- Regional Security Relationships
- Staffing
- Post 7/1 Advisory Support
- Others as needed

Week of February 7



#### INFO MEMO

January 5, 2004

FOR:

THE ADMINISTRATOR

FROM:

MG Paul Eaton, CG, CMATT

SUBJECT:

Officer Training Initiatives - Jordan

The following background material details the reasons behind training the NIA in Jordan, describes the consultation process with the IGC, and explains the decision to move forward with training before notifying the IGC.

First, the plan to train in Jordan and to include Jordanian trainers in the Non Commissioned Officer training here in Iraq (Tadji) was briefed on two occasions to and approved by SECDEF (5 September here) and to OSD. Second, consult today with Mr. Slocombe reveals he did not inform Governing Council and according to the first the GC heard of the initiative was when I briefed them two weeks ago. Both my former Deputy Commander, BG Jon Riley and I have discussed the overall plan and the Jordan initiative in several venues including KDP and PUK, specifically including Messrs. Barzani and Talibani. We registered no objections. I accept responsibility for failure to notify GC – my decision to proceed with this plan approval was late August and I did not consider the Iraqi political scene, yet did have to move quickly to get the plan to succeed.

The rationale for selecting Jordan includes:

- Jordanian Armed Forces (JAF) are professional, volunteer and have a British Army tradition.
- Man for man, they are the best manned and trained Arab Army, a reputation validated by over a dozen US Foreign Area Officers and British Army Officers I have engaged for advice. American Embassy Amman concurs with concept.
- No language problem.
- Viewed as a positive initiative by those Sunni former officers I spoke to.
- Viewed as neutral to positive by those former Kurdish officers I spoke to.
- Viewed neutral (but some negative body language) by those former Shia officers I spoke to (please note that these conversations occurred at Kirkush Military Training Base with recruited former Army leaders – recruit talking to Major General is not science).
- Jordan offered safe, secure environment for training.
- Jordan volunteered.
- Jordan offered insights into their culture, both civilian and military. Our troops will see their units in action.

 Jordanian military leadership ethos is what I want our troops to see – Generals engage in discussion/give and take with officers far junior to themselves, in public and in front of foreign General Officers.

How it happened: I went to Jordan 25 August to look into buying used military equipment and selective senior officer training opportunities (Major, Lieutenant Colonel and Colonel). The more I observed Jordanian officer behavior the more I was convinced that I had an opportunity to accelerate Iraqi Army development in a substantial way and expose Iraqi officers to a good Army with good leadership in a rational actor state. As I continued to probe the senior trainer for the JAF, Major General Karaki, he sat back and asked, "What do you want from us?" I replied, "I want you to train our leadership." We discussed numbers and the meeting broke up. We subsequently reengaged and crafted the plan we now have in place. I am convinced the King has essentially said, "Make it happen." We then got approval to execute and fund. The resulting training plan trains Platoon Commanders, Company Commanders, Battalion and Brigade staffs and selected Battalion and Brigade Commanders. Some of the latter will be drafted from ongoing interviews. I pick leadership, not Jordanians and ethnic distribution will mirror Iraqi demographics.

Planned total number to be trained is 1310, in two groups. The first group is on the ground 570 strong, and will graduate 18 March 04.

The Governance section notes that given the complexity of the Iraq-Jordan relationship, this training has the potential to post a significant political problem. Given that there is no adequate substitute location for this training, we are prepared to work with CPA to reassure the Governing Council members by:

- Assuring them that we will vet Jordanian officers that will be involved in training Iraqi officers;
- Providing details on the training facility's location as well as the scope of interaction between the Iraqi officers and the Jordanian population;
- Highlighting the involvement and supervision of Coalition forces; and,
- Emphasizing plans to expand training programs and facilities within Iraq

ATTACHMENTS: E-mail from Mr Slocombe, dated 1 Sep 03.

COORDINATION: NONE

(FS-02)

From:

Eaton, Paul

Sent:

Sunday, January 04, 2004 7:48 AM

To:

(GBR)

Subject:

FW: NIA Acceleration

Follow Up Flag: Follow up

Falleys an

Flag Status:

Flagged

For attachment

----Original Message----

From: Slocombe, Walt B. (SES)

Sent: Monday, September 01, 2003 2:54 PM

To: Eaton, Paul

Cc:

Subject: NIA Acceleration

Paul -

Amb. Bremer told the GC Security group today that he intends to ask for the funds necessary to accelerate the NIA work, as outlined in the plans you have put forward. He said he is prepared to "bet on the come" and authorize some money to start preparation, in the expectation that his requests for funds will be approved in the supplemental. He also agreed when I said that if we are to do this, we can't wait until the end of the year to start construction on sites, and therefore need to rescind the \$20M cut and add some more. He asked that we prepare a specific list of what needs to be done over the next four months, by month as much as we can do it, so he will know what has to be authorized.

(This is to confirm our hallway conversation; I have just read that Churchill's rule was that his staff was not to implement any instruction of his unless it was either given, or immediately confirmed, in writing. Not a bad rule, especially for something as big as this.)

I think he really appreciates the innovation and creativity you've shown in making this proposal, at once daring and practical. Now it only remains to get \$2B and work a small miracle. We also need to act soonest on what additional personnel we need – both for CMATT and for the US military contribution to training (including followup training for the units as they enter operational status)

Wait



#### INFO MEMO

January 5, 2004

FOR:	TE ADMINISTRATOR
FROM:	Press Officer, CPA Press Office
SUBJECT: Ira	aq Army Day
This memo is in	response to your request for information regarding Iraq Army Day activities.
proposal for fraq CITF-7 IO plann	ember 29, I received an e-mail message from Col. addressing a Army Day (January 6) activities he had received from Capt. a cr whose desk is in the Office of Strategic Communications room. Col. age suggested a number of possibilities, including the graduation of the second agr Army and a wreath-laying ceremony at the Tomb of the Unknowns.
House sh	unizing press coverage of the Iraqi Army graduation on basiney of twill and at an 19 max angularies from the contract of the first of t
entilles es entre	inverse of the party cating concerns about the elements of the saw as the d
	office of Strategic Communications facilitated the appearance of Major elevision and cadio. Major is an officer in the Icaqi Army working with
i. An Al-Ira	peared on two programs, taped today for airing in Army Day: qiya television special; and secial to air on the same day.
ATTACHMENT:	S: NONE

COORDINATION: Governance -- CLEARED

### Mr. L.PAUL Bremer/CPA Administrator

According to your letter directed to us concerning the allocation, we would like to declare the following:

1-The money allocated for the operating budget chapter (Second, Third, Fourth, Fifth) has been reduced by approximately 3.6 Billion Iraqi Dinars. Which is equivalent to 2.4 Million US\$ for the amount that was agreed upon at the joint meetings between our Ministry's representatives and the Finance Ministry's representatives in addition to the attendance of the CPA representatives for both Ministries. The reason for the reduction is still unknown.

2-A total amount of 107.3 Billion Iraqi Dinars was allocated, which is equivalent to 71.5 Million US\$ for the first chapter (Salaries for the 50055 employees). Regarding that, we have the following notes:

a) Taking the current salary scale (The four Tiers Scale) into consideration, the amount needed for the year 2004 salary allocation will be approximately (119.5) Billion Iraqi Dinars, which is equivalent to (79.7 Million US\$).

b) If the new salary scale (eleven tiers scale) will be taken into consideration, which is to be expectedly approved at the beginning of the year 2004, the amount needed will be approximately (222.5) Billion Iraqi Dinars which is equivalent to (148.3 Million US\$).

e) There has not been any fund allocated for the allowances intended to be granted to employees, under order (no.30) issued by you, e.g. allowances of (Family, University Service, Scientific, Technical, etc...)

Please accept our leepest that I's

Ce.Minister's Office
Financial Affairs/ with the documents
Registration Office



COALITION PROVISIONAL AUTHORITY

BAGHDAD

INFO MEMO

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Iraqi National Security Advisor

The Iraqis should and likely will be moving toward a *distributed* system of national security policymaking, ministerial responsibilities, and assignment of security forces. Political conditions and a history of military interference point to a need to avoid concentration of power in the security sector. Also, it is a fair working assumption that cabinet-style government will emerge from the Transitional National Authority, led by a PM with constrained executive powers. This suggests a need for strong interministerial management and cabinet-support instational security – i.e., an NSC-like system.

The starting point would be the appointment of a national security advisor (by that or another name) to earn the trust of ministers, develop an interagency policy-coordination system, and begin assembling a small, high-caliber staff. The person must set the standard of impartiality and collegiality required of the office and to be emulated by the staff. He or she must be broad enough to understand at least foreign policy and national defense issues, including both external and internal security. We know from experience in the US, UK and elsewhere how important it is to have a person of such qualities. It will not be easy in Iraq – perhaps impossible except for former exiles.

While the national security advisor would presumably not be a politician or at the level of minister, the right one would add professional strength to the national security leadership and help avoid or counter excessive power in one or another ministry (e.g., MoI or MoI). At the same time, ministers and politicians would have to be comfortable with both the position and the person.

I raise this now for three reasons: First, the best time for an effective national security advisor is at the outset when the system will still be forming and the dangers of inter-service and inter-ministerial political rivalries are greatest. Second, the need will become apparent soon after we begin the security-institution consultations with the Iragis in January. Third, it could take months to complete a careful search. While there is of course a risk that any pre-selected national security advisor would not be retained by a new government come June-July, an interim one can at least shape the position, inter-ministerial process, and staff.

As we focus on the duties and qualifications of a Defense Minister, we will do likewise in regard to an Iraqi national security advisor. Without a government to serve, the person would work with me and with Iraqi security ministries (MoD, MFA, Mol. Intell) in designing an NSC-like system, so that something will be in place, personalities aside, when a government is formed. We might also want to send the individual or candidates to meet Condi Rice. Brent Scowcroft, Sandy Berger and others who've held the job.

CC: Security Institutions Steering Group, Amb Jones, LTG (R)Kellogg



#### INFO MEMO

December 16, 2003

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

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CC: Security Institutions Steering Group, Amb Jones, LTG (R)Kellogg,

# UNCLASSIFIED DRAFT COALITION PROVISIONAL AUTHORITY

#### BAGHDAD

#### INFO MEMO

FOR: David Compet

in the diagram below.

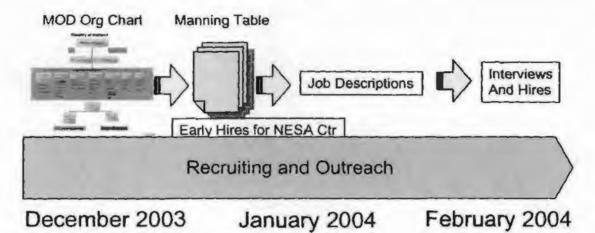
December 13, 2003

FROM: FROM:
SUBJECT: Plan for Hiring and Training Iraqi Civil Servants
We are in the process of seeking out Iraqis to staff the future MoD, developing a hiring plan, and designing a training program for future civil servants. Our objectives are to locate and hire competent and honest people and to provide recruits with the necessary knowledge and skills to build an effective, non-corrupt, transparent, civilian Ministry of Defense that will be able to serve this country through the transfer of authority in July and beyond.
HIRING
and have done substantial outreach and compiled a database of approximately 200 names and biographical information. Many of these are former military, and we are gathering names of civilians. The next step is to produce a manning chart of the Ministry of Defense for the next six months, based on the organization chart. This project is in process.

This is important because training must be related directly to the functions of particular offices and jobs. It will not be enough to send the Iraqis to a generalized training – they will also need more in-depth training specific to their tasks.

The manning chart will tell us what jobs we need to hire for – and when – and will allow us to write up job descriptions for each, which we will need in the hiring process. This plan is captured

ACTION: Complete the manning table, write job descriptions, continue outreach. Begin interviews in late December.



#### TRAINING

Four types of training are needed:

- 1. Course Programs, Seminars, Workshops
  - a. General
    - i. For all new employees roles & responsibilities of MoDs in a democracy, ethics, strategy & policy, civ-mil, planning
  - b. Specific
    - Subject matter expert, in-depth, technical training (e.g., acquisition, planning and budgeting, strategy and policy)
- 2. Informal Training and Engagement;
- 3. On-The-Job Training;
- 4. Computer Training

The timing and sequencing of the training program will be linked to the timing of the recruitment and interviewing process. We will not, by February, have recruited all of the Iraqis that we will need; we will continue to bring them on board throughout the coming months. The training programs should be modularized and take place at regular intervals to accommodate new entrants into the system. The initial group is also only a small portion of the people that the MoD will eventually need beyond July, so it makes sense to create a training program that will continue after the TOA.

#### Course Programs, Seminars, Workshops

#### General Courses

The first priority is to teach the new Iraqi civil servants how a Ministry of Defense is organized and run in a democracy, ethics of democratic public service, the principles of strategic analysis, how to convert analysis into a national and defense strategy, and how to translate that strategy into policies, forces, and resources. There are a number of potential providers and locations for such training. The following table summarizes the selection of programs that we are reviewing.

#### Formal Training Programs

Provider	Location	Course Length	Time Availability	Number of Slots Available	Cost
NESA Center Exec. Seminar	Washington	21 days	Jan 04 Apr 04 Jul 04	2-3 (Jan) TBD (Apr, Jul)	\$0
NESA Center Tailored Pgm.	Washington/ Baghdad (?)	14 days	Feb 04 (?) +	TBD	~\$300k
Marshall Ctr.	Garmisch	10 days	Feb 04; poss.	20	\$~150k
DFID	Baghdad	TBD	TBD	TBD	TBD
Contractor	Baghdad	14 days	Feb/March 04	TBD	-\$250k+
DCAF	Baghdad (?)	14 days	May 04 (?)	TBD	TBD
NESA Center Senior Exec. Seminar	Washington	7 days	May 04	2-3	\$0

The curricula of these programs are broadly similar. The highlighting indicates those programs for which CPA/OSA would have significant input and control over the curriculum, timing, and specifics of the program, whereas the others are standardized. The tailorable programs are most desirable because we can ensure consistency and that we are getting the product that we want.

Moreover, given our timeframe, it makes most sense to have courses in Baghdad until at least April.

Recommendation: We should not try to do everything; instead, we should ensure that each individual receives the proper four elements of training described above, and it is probably simplest if all of the recruits receive the same initial training in civilian MoDs, ethics of civil service, strategy & policy, etc. We should therefore select one provider among the tailorable Baghdad options: NESA Center, Contractor, or DCAF. But we should not ignore the standardized programs. Select Iraqis should attend courses like the NESA and Marshall, and some of the more senior Iraqis should attend NESA's Senior Executive Seminars.

ACTION: Generate a set of requirements (a SOW), review potential providers, develop a program for the year 2004 (but concentrate on the first six months).

#### Specific Courses

The new Iraqi civil servants will require specialized training as well. We should look to assemble courses that correspond to the Groups in the org chart (some of these might be combined into one course). Courses in these areas may be on a smaller scale, be three or four days in duration, and may be done either in or outside of Baghdad; the manning chart will provide us with the actual number of people who need training in each area. We are just beginning to explore this, but some potential providers in each area are:

1. Acquisition, Logistics, Infrastructure - MPRI, SAIC, Vinnell

2. Public Affairs - ??

3. Intelligence Policy - SAIC, et al

4. Management - Bearing Point, RTI, et al
5. Defense Development - MPRI, SAIC, NESA, et al
6. Strategic Policy - MPRI, SAIC, NESA, et al

7. Finance - Bearing Point, RTI, et al

**ACTION:** Complete the manning table, write job descriptions, research potential providers in each area.

#### INFORMAL TRAINING AND ENGAGEMENT

Equally important as the formal courses is a program to engage the new Iraqi civil servants, allow them to observe how things are done in a democracy, have conferences with people from other nations, and "socialize" them into the broader international strategic community. It is especially important to bring together Iraqis and their counterparts in the region. There are a number of ways to do this, but a few ideas include:

- Tours in the Washington, D.C. area of national security institutions, military bases, battlefields, Carlisle Barracks, etc.
- "Buddy" day Iraqis could spend part of a day with a U.S. civil servant in the Pentagon
- Short trips to Kuwait, Bahrain, Qatar, Jordan
- A conference with counterparts from the region to discuss regional security issues
- 2.5 day program with the Geneva Centre for the Democratic Control of Armed Forces (DCAF)

ACTION: Assemble the appropriate set of activities and integrate them with formal training programs.

#### ON THE JOB TRAINING (OJT) ADVISORS PROGRAM

Even after participating in an aggressive formal and informal training program, the Iraqi civil servants are likely to do most of their learning on the job. It is impossible to transmit all of the information in the timeframe available, and most people learn by doing. We believe that professionals from coalition states will need to be working day-to-day with the Iraqis when they begin. This could be staffed either by contractors, by coalition civil servants, or both. At this point, we are still working on determining the appropriate number of professionals that will be needed and developing a plan for how that might happen.

ACTION: Write a plan for an OJT program, determine nature of and resource requirements for such a program.

#### COMPUTER TRAINING

In the past, Iraqi civil servants did most of their work with pen and paper; very few have adequate computer skills for modern record-keeping, analysis, and other functions that the new Ministry will have to carry out. Computers will be installed in the new Ministry as the building is prepared for its occupants. All of the future civil servants will therefore require a basic course in computers and some may require specialized training in particular applications (such as Excel).

We have explored a number of options (training in the CPA computer room, training with an Iraqi university or other local facility), but the solution that makes the most sense is to provide training on the actual systems the civil servants will be working with in the new Ministry. In connection with the move into the new building and installation of the computer systems, we will need to design a course and provide instruction.

ACTION: Determine IT systems that will be available in the new building; look for a provider of computer training (this could be Iraqi – I was told by an old hand that the University of Bagbdad used to have a computer program and that some very good people came out of it).

One final thought: the education of Iraqi MoD civil servants cannot end in July or even December 2004; a solution for the long-term will also needed. First things first, but this is something that deserves some thought.

ATTACHMENTS: NONE

COORDINATION: NONE

COALITION PROVISIONAL AUTHORITY

BAGHDAD

INFO MEMO

ovember 25, 2003

FOR:

THE ADMINISTRATOR

FROM:

Acting Director, National Security Affairs

Discussions with Iyad Alawi, 24 November 2003 SUBJECT:

Representatives from National Security Affairs and Governance met with Dr. Iyad Alawi, Monday evening, 23 November to re-open our dialogue with him on issues relating to the establishment of the Ministry of Defense and the long-term development of defense institutions in Iraq. A copy of our notes taken in the meeting is attached.

#### Primary Outcomes:

- Dr. Alawi requested a monthly update to the Security Committee, addressing progress in the development of defense institutions.
- Dr. Alawi offered to host a series of small group discussions with selected individuals. some members of the Security Committee and others chosen for their expertise and/or interest in strategic issues which the Iraqi government should address.
  - ONSA will prepare a list of topics we think need to be addressed
  - Dr. Alawi will schedule these discussions and identify participants.-ONSA can identify individuals to participate as well.
- ONSA will provide one staff officer initially to assist the Security Committee staff. (A second officer can be made available, once we understand the work load.

Dr Alawi expressed concerns and/or said he would like to discuss further, at a later time:

- Our thoughts on vetting and senior leader selection for the military and the defense institutions. Dr. Alawi indicated the Security Committee and GC could be very helpful.
- How the civil component of the defense institutions would be structured and how this subject will be addressed in the Fundamental Law.
- Security Committee must become better informed with regard to how Iraqi armed forces are being designed and structured and shaping Iraq's long-term military strategy.

ATTACHMENTS: as

COORDINATION (copy furnished): Governance, CJTF-7/C5

#### UNCLASSIFIED

### OFFICE OF NATIONAL SECURITY AFFAIRS DISCUSSION NOTES

Meeting with Dr. Iyad ALAWI MEETING, 24 November 2003, 1700

Participants: Dr. Iyad Alawi,			
Alawi:			

- · Sovereignty needs security the overarching principle. Two important tasks ahead:
  - Security Agreement with the Coalition
  - The development of Iraqi Security forces and institutions.
- Reconstituting the military and security is a vital piece has to be balanced as we progress
- · Sketched outline of plans for NIA and ICDC expansion
- Indicated overlaps with November 15 agreement timelines

#### Alawi:

- Need monthly updates of this nature for the Security Committee as we go forward
- · Concern over how 'civil component is addressed' in the Fundamental Law
- We need an active robust system of vetting/screening.
- Badr Corp in the control of Iranian intelligence.
- Reminded Alawi of previous discussions with Mr. Slocombe concerning the possible establishment of a National Security Advisor Commission to act as a sounding board and contribute to concept development in ONSA

#### Alawi:

- Alawi agreed it is very useful idea.
- Would like discussions/closed door seminars to discuss national security principles and defense strategy. Would like a dialogue and an exchange of ideas.

#### **UNCLASSIFIED**

 A group like that should include people from a variety of backgrounds -- politicians, military experts, academics, even businessmen

#### Alawi:

- · Agreed, except objected to including businessmen
- · Alawi will come up with a list of people and OSA with a list of topics.
- NIA Army should be a strong deterrent and a peaceful army. That the Army should be in the background is good - should be specialized units (SF).
- · Also a need to increase the level of education of the military
- ONSA will be providing staff to assist the Security Committee, initially
- Discussion of the GC National Security Committee (SC) and CPA staffers role.
- · First step informing and getting the SC up to date on CPA planning and status of forces.

# COALITION PROVISIONAL AUTHORITY BAGHDAD

	INFO MEMO	
FOR:	Mr. Director Office of Security Affairs (National Security and Defense)	November 17, 2003
THROUGH:	Colonel Chief of Staff Office of Security Affairs (National Security and Defense)	
FROM:	Mr. Chief of Security Office of Security Affairs (National Security and Defense)	
SUBJECT:	Acting Chief of Security	
perform all du CPA/Global coutside the co staff under the I have discuss Mr. of the present	will report directly to the Director of Security uties related to this position as permitted under Cell 3.2.2 (attacontractual agreement covering the OSA CP Team. Any other context of the contractual agreement will necessarily be covered to direction of the OSA Chief of Staff.  Seed this arrangement with LTC in the CPA Core at Global Management and both concur that this action is contract. As Mr. will only perform duties specified undere will be no change in the contractual or financial arrangement arrangement.	nched) of the current or responsibilities d by existing OSA intracting Office and in is within the bounds ider the current
LTC	s the OSA POC for further actions or clarification on this mate	ter.
attach as		
	(Global) (Global)	

UNCLASSIFIED

2.5 Emergency Medical Care— Immediate medical care required to sustain life

#### 3.0 Work Requirements

The services provided by the contractor shall encompass one or more of the following task areas:

- 3.1 Task: Project Management
  - 3.1.1 Develop management structure that will closely manage this effort to ensure efficient and effective accomplishment of all tasks and quality of support.
  - 3.1.2 Provide coordination, management, and integration services, including scheduling meetings, briefings, and effort reviews as required by the government COR.
  - 3.1.3 Provide issue tracking, coordination and management
- 3.2 Task: Close Protection Team
  - 3.2.1 Provide personal protection to the Director, ORHA
  - 3.2.2 Provide coordination, management and integration of close protection team services, including scheduling meetings, briefings, event planning, travel routes, threat assessment and contingency planning for close protection team efforts.
- 3.3 Task: Force Protection
  - 3.3.1 Provide security and protection to ORHA staff and facilities.
  - 3.3.2 Provide coordination, management and integration of force protection services, including scheduling meetings, briefings, event planning, travel routes, threat assessment and contingency planning for force protection efforts.
  - 3.3.3 Provide the ORHA Force Protection Officer or his designee, senior, experienced, security analysts to develop and implement ORHA Security Management Plan.
- 3.4 Task: Surge Contingency Planning and Support
  - 3.4.1 Provide surge capability to increase manpower and deliver qualified, ready manpower to various ORHA locations throughout

Statement number: 05/04

Date of Statement: 15/02/2004

Date of the meeting: 12/02/2004 Location: Governing Council Building

Time: 1:00 - 4:00

#### Attendants

1	Dr. Ayad Allawi	2	Sheikh Ghazi Eliawer
3	Mr. Adnan Al- Assadi	4	Mr.Ahmed Al- Chalabi
5	Advisor	6	(4%)
7	1000	8	
9		10	Mr. Eaton
11		12	Others of CPA and representatives of some committee members

#### Summary

- 1- It is essential submitting the nominees names to the ministry of Defense as soon as possible.
- 2- The nominees' names should not be correlated with the political movements.
- 3- Subject of the meeting to discuss the proposed process plan by Mr
- 4- Speeding up to summon the executive sub-committee and necessity of emphasizing on the importance of the meetings of this committee.
- 5- Dedicate a session to the issue of the human resources for its importance in the structural and the military capabilities.
- 6- Participation of some principles and suggestions concerning the impetus regarding the individuals.
- 7- Discussing the military and civil departments at Ministry of Defense.
- 8- On selecting individuals, quality is in preference to quantity.
- 9- Recourses allocating to have the highest qualities.
- 10- The Iraqis design the designing of the Ministry of Defense.
- 11- Necessity of continuation of training and teaching after service.
- 12- The relationship between the new armed forces and democracy.
- 13- Emphasizing not to involve the new army in the political situations.
- 14- The army must be professional, far away of politics and responsible before the legislature authorities and the constitution.
- 15- There have to be existence and civilian control of the army in addition to existence of qualified military elements.
- 16-Submitt a summary of the security committee meetings to the Governing Council.
- 17- Having been conversed of the British System privileged.
- 18-The special resolutions by appointing personnel is accomplished on the submitted advisory by Coalition Provisional Authority (CPA) but the Iraqi consent is important.
- 19- There will be retired military personnel in civil positions in the ministry.
- 20- There will be conduction of special training that will continue for the period of 9 days including the constructive training and identify of the ministry of defense, computer and strategy system.
- 21- It will be given all details of the subjects and its precision that will be debated in the coming meetings.
- 22-Mr. indicated that he considers the Iraqis will construct the submitted nominations but this new institution and it is they who appoint the personnel in the positions that they find relevant to them.
- 23- The Iragis resolute the nature of the ministry of defense (MOD).
- 24- Provide, prepare and submitting the names and the final decision is for the Governing Council and the Security committee.
- 25- What takes place in the Security Committee will be transferred to the Governing Council in two ways;

1) Representatives.

2) Meetings minutes.

- 26- At least 200 personnel will be appointed in the new ministry.
- 27- Leadership positions in the ministry are subjected to criteria.
- 28- The minister will be appointed by the Governing Council and it is he who will be dealing with the ministry. 29- Details of going to military college have been discussed on 14th/Feb/2004
- 30- The object of existence of advisors in the present ministries is for sustaining the relationship between ministries and CPA.
- 31- On appointment of the minister, there will be high-level advisors offering the ministry to help each General Director in the ministry to establish his office.

### MEETING OF G.C. COMMITTEE ON SECURITY ON AUGUST 8, 2003

#### Attendees

- 1. Mr. Masoud al-Barazani.
- 2. Dr. Ahmed al-Chalabi.
- 3. Mr. Abdulaziz al-Hakim (Mr. Bayan Jabr attended)
- 4. Mr. Nosherwan Mostafa, representing Mr. Talabani.
- 5. Sheikh Ghazi al-Yawer.
- 6. Dr. Samir Shakir.
- 7. Sheikh Abdulkarim al-Mahamadawi.
- 8. Dr. Ayad Allawi coordinator of the committee.

#### The Committee Resolutions

- 1- Security in the country is of paramount concern. Both political security (ex-regime forces and extremists) as well as breakdown in low and order should be dealt with immediately.
- 2- Support and encourage efforts by the coalition to improve security.
- 3- Allocation of sufficient funds to oversee security.
- 4- The formation of a very-high-level security committee between G.C. and the Coalition.
- 5- Develop and expedite formation of special courts and other judicial courts.
- 6- Formation of intelligence gathering body. (connected to point (4) above).
- 7- Support and expedite formation of civil defense corps.
- 8- Focus on all country, but give priority to Baghdad and other restless provinces.
- 9- Using information and propaganda including educating coalition military on customs and culture of the Iraqi people, and redeployed whenever possible, outside cities.
- 10- Using the tribes on guarding borders and main supply lines outside cities, until a comprehensive police, security and military force are established.
- 11- Using some of the existing assets in Iraqi Kurdistan ex-police and army by recruiting young officers and conscripts.



#### COALITION PROVISIONAL AUTHORITY

BAGHDAD

INFO MEMO

February 4, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Briefing the IGC on Iraqi National Intelligence Service.

You are aware that a CPA/CJTF7 advisory team conducts consultations with the IGC's Security Committee on concepts, principles, and plans for permanent Iraqi national security institutions. These consultations have covered many critical issues concerning decision-making structures, roles, mission and capabilities of IAF and internal security forces, and the MoD. We expect a consultation with the full IGC within the next two weeks on the conclusions to date of work by the security committee.

We have not, however, covered the Iraqi National Intelligence Service (INIS), except to say that the Director General of the INIS should provide objective assessments and advice to the fraqi PM-chaired cabinet committee for national security. After conferring with and I have concluded that we should now consult with the committee, followed by the full IGC, on progress and principles concerning the INIS. There is growing publicity about the INIS, and a perception that it has been planned and formed by us in league with INA. While no time is a good time to consult on the INIS, it is better to do it in the context of the larger national-accurity policy-making apparatus than to treat it as a special case.

#### Lintend to proceed as follows

- I will seek Allawi's agreement to introduce INIS into the security committee in the next two weeks
- Without OGA present, I will seek committee buy-in to the need and concept.
- Having done this, Allawi and I will include the INIS in our presentation to the IGC of the entire national security structure.
- I will offer to both the committee and the IGC a subsequent opportunity to be briefed by our OGA colleagues.

- ok

COORDINATION: Governance

Governance "

OGA - ok

UNCLASSIFIED



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COORDINATION: Governance OGA - ok

UNCLASSIFIED



#### **INFO MEMO**

January 5, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Discussion with Ivad Alawi

CPA is ready to begin high-level national security consultations, and we cannot wait any longer for them to start. We should press for agreement with Alawi on how to proceed.

The National Security Committee of the GC has become an active body, whether or not Alawi is in the chair. It is clear to me that this committee of 13 must serve as the "large group" to which Alawi has referred. We should tell Alawi that he and I should present our plan for the advisory consultations (attached) at the regularly scheduled meeting this Saturday.

Alawi also wants a "small group," as you know. I have concluded that the best, perhaps only, way of doing this is with the knowledge and consent of the GC National Security Committee. Anything else could backfire. With Alawi's agreement, I should be the one to appeal to the full committee to form a small sub-committee, based on the practical need to have a few counterparts with whom we can interact frequently, at short notice, and on details. The sub-committee would answer to the committee, with whom my team would meet weekly.

As a proper sub-committee and with the intent of meeting with full committee weekly, membership in the small group might be less of a problem.

I can cover all this during our meeting with Alawi; but I wanted you to be aware of the approach. We also need to tell Alawi that this consultative mechanism will not be used to address post-7/11 security arrangements. It should be strictly to help them create permanent security institutions.

Apart from this, I have a few other matters to take up with Alawi that do not require your presence. He and I can retire to my office. Please let me know whether you want a word with bim in private before I join you.

ATTACHMENT: Strategic Advisory Consultation on Iraqi National Security Structures

COORDINATION: DCG



January 5, 2004

LPB:

SUBJECT: Discussion with Alawi

CPA is ready to begin high-level national security consultations, and we cannot wait any longer for them to start. We should force an agreement with Alawi on how to proceed.

The National Security Committee of the GC has become an active body, whether or not Alawi is in the chair. It is clear that this committee of 12 must serve as the "large group" to which Alawi has referred. Moreover, members are anxious to meet me, to the point of impatience. We should tell Alawi that he and I should present our plan for the advisory consultations at the regularly scheduled meeting this Saturday. I can present the attached work-plan to them. Meanwhile, we should discuss it with Alawi.

Alawi also wants a "small group." I have concluded that the best, perhaps only, way of doing this is with the knowledge and consent of the GC National Security Committee. Anything the could backfire. With Alawi's agreement, I should be the one to appeal to the full committee to form a small sub-committee, based on the need to have a few counterparts with whom we can interact frequently, at short notice, and on details. The sub-committee would answer to the committee, with whom my team would meet veekly.

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David/

ATTACHMENT: Strategic Advisory Consultation on Iraqi National Security Structures

CC:

# Strategic Advisory Consultation on Iraqi National Security Structures

# Work Plan

1.	National	Security	Oversight
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Week of January 10

- · Command and Control of Armed Forces
- Policy- and Decision-making System
- Ministry Responsibilities
- · Inter-ministerial Coordination
- · Key Principles and Laws
- Issues and Practical Steps

## 2. Armed Forces for Internal and External Security

Week of January 17

- National Defense
- Internal Security Emergencies
- Law Enforcement
- Capabilities
- · Roles, Missions, and Reporting
- Key Principles and Laws
- Issues and Practical Steps

#### 3. Ministry of Defense

Week of January 24

- Functions: Civilian and Military
- Organizational Structure
- Policy-making.
- Forces and infrastructure.
- Key Principles, Laws, and Regulations
- Issues and Practical Steps

#### 4. People

Week of January 31

- Key Leadership Positions: Roles and Qualifications
- Key Officials
- · Exchange of Ideas on Individuals
- Process of Recruitment, Training, Placement
- "Good Governance" Principles, Laws, Regulations

## Strategic Advisory Consultations Work Plan Page 2

Issues and Practical Steps

### 5. Setting and Meeting Requirements

- · Determining Needs
- · Costs: Fixed, Operating, Investment
- Affordability
- Responsibilities
- · Key Principles, Laws, Regulations
- Issues and Practical Steps

### 6. Further topics:

- In-depth MoD design.
- National Security Information Architecture
- Regional Security Relationships
- Staffing
- Post 7/1 Advisory Support
- Others as needed

Week of February 7



# COALITION PROVISIONAL AUTHORITY BAGHDAD

January 26, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Security Consultations Beyond GC Security Committee

The current process provides for:

 Close and frequent consultations with Ayad Allawi, resulting in a clear sense of where we agree, disagree, and defer. Allawi appears to agree with our positions but has made clear that the identity of CINC cannot be settled yet.

- Weekly 2-hour consultations with the Security Committee. Full disclosure of our views to all members of the Security Committee, via participation, circulation of summaries, and my bilateral meetings. Though there have been no objections to our summaries, the acceptance of our positions by the committee, other than by its chairman, is hard to assess. The attitude of SCIRI is especially inscrutable.
- Limited to no exposure among non-committee members. Bear in mind, though, that most of the GC varsity is on the Security Committee, Pachachi being the main exception.
- A sub-committee ("small group") consisting of Allawi, Hakim, Chalibi, Barzani, and Sheikh Ghazi, which has yet to meet but will, Allawi says, soon meet and "make decisions."
- . In the absence of an active small group, an ill-defined process for translating committee summaries into decisions and actions. I doubt that the GC itself will ever be asked to act on a complete blueprint; rather, the results will appear in various places, e.g., TAL, shape of MoD, appointment of key officials.

and I suggest the following additional steps: Going forward, I

- Convince Allawi that there has been enough substance covered in the committee to date that it would be timely to brief the GC. Ideally, he would invite me to brief along with him, though it would also be worth doing if he briefed alone - as well as revealing about how much he thinks has been decided.
- Activate the small group and use it for decisions, including confirmation of the results to date.
- Keep Pachachi and his camp well informed, even after his presidency.

I will speak to both Pachachi and Allawi on these matters in the next two days.

There is no need to meet on this if you are comfortable with our plan.

Dovit . I correct who the plan. 2 suspect we have not soon even the top of the too being of problems CC:



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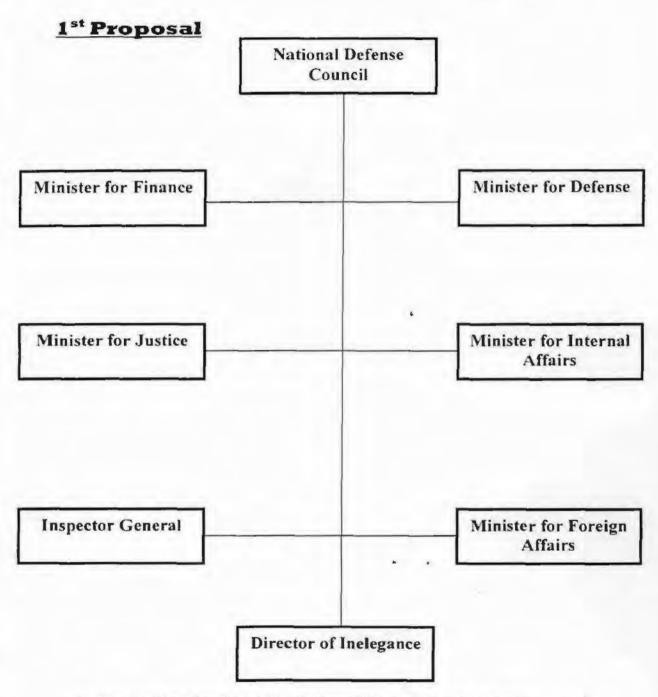
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David. I arree who the plan. 2 suspect we have not seen even the tip of the iccharge of problems.

# FORMATION OF IRAQI ARMED FORCES

(PROPOSALS)

Preparation by Office of Dr. Ibrahim Al-Ushaiqer GC. Member



- 1. The head of the Council is to be president or Prime Minister.
- 2. The Inspector General is a member of the Council and nor a decision maker.
- 3. The name can be (National Defense Council) or (Supreme Defense Council.

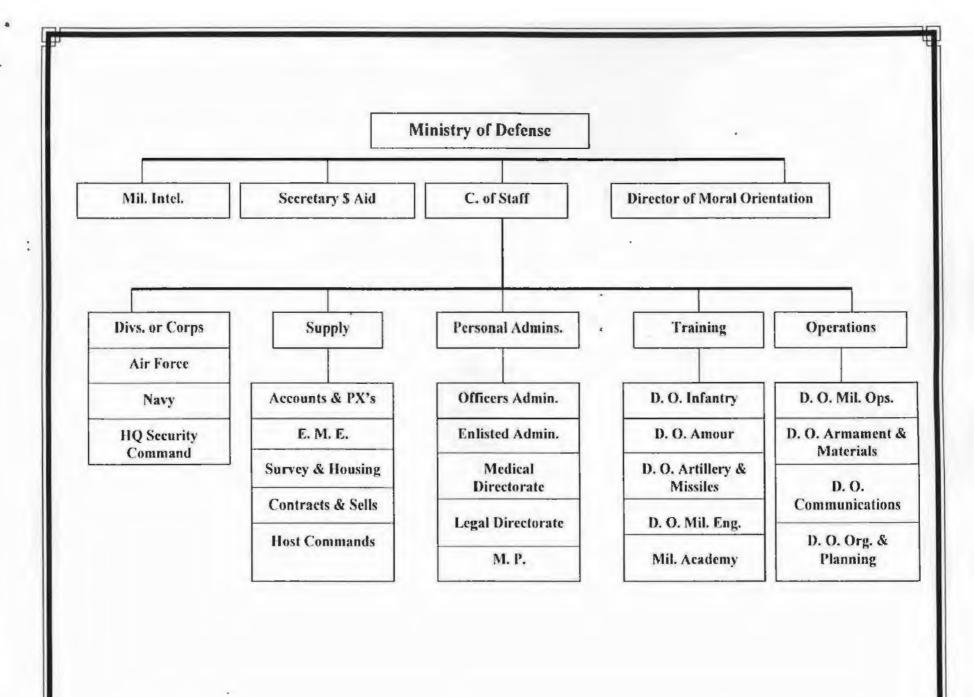
**Battalion for Guarding** Command HQs. Support Co. HQ. Company 4 Infantry Co's Howitzer Platoon Admin. Platoon 1st Platoon 2<sup>nd</sup> Platoon M. MG. Platoon Transport Platoon 3<sup>rd</sup> Platoon Mil. Eng. Platoon **EME Section** 

# Notes

- 1. Battalion Commander = (LT. COL.) or (COL).
- 2. Company Commander = (MAJ.) or (CAPT.).
- 3. Platoon Leaders =  $(1^{st} LT.)$  or (LT.).

### Notes

- 1. We propose an office for each Directorate or General Directorate to be nuclei for their units.
- 2. To prepare allocations and revenues according to the type of armament and materials that shall be decided on.
- 3. Command for H.Q. Security is to be organized as follows:
- a. (Directorate for guarding H.Q.'s) temporary organization to be connected directly to CoS.
- b. The mentioned command is to be formed from the new battalions.
- c. After forming they shall guard themselves.
- d. The connection to CoS. will be cancelled and transferred to directorate of supply under a new name (directorate of camps) after completion of formations.
- e. The commander can be Brigadier-General and to have no less than three battalions



# GC SECURITY COMMITTEE MEETING 15 JANUARY 2004 @ 1400

**DR. ALLAWI**: Discussed the meeting from last week...discussed actions from previous meetings and discussed the working paper with the CPA.

MR. GOMPERT: Started with two items: to provide the committee with key points from the previous discussion, which was procedural. Hereafter, these discussions will cover substantive issues and such summaries will be provided at the following session. Also, invited the members of the GC Security Meeting to come to the KMTB. This will enable them to gain first hand knowledge of the training that is being conducted. MG Eaton explained the particulars of this visit. Stated this would be a good opportunity to speak to the 1<sup>st</sup> Iraqi Battalion and gather their impressions and to also visit the officer training with the 4<sup>th</sup> Battalion and have lunch with them. Ground time would be 4-5 hours. We will provide a series of dates.

DR. ALLAWI: Thanked MG Eaton for the invitation.

MR. GOMPERT: Reference the National Security Decision Structure Policy (NSDP)...this is the authority over the armed forces...this is in effect from peace time to hostilities. External as well as the internal, into the policy decision making, has to be taken into account. The Iraqi people have to be given the confidence to accept these establishments. Offered a model for the NSP for the US and Ambassador Richardson offered the UK view. Our assumption is power, authority and capabilities would be distributed rather than concentrated. The ability of the cabinet to function is crucial to policy making but not the entire cabinet. You need to limit it to the few who have security responsibility...the core ministries within the cabinet...the MoI, MoD, MoJ, and the MFA. It has to be flexible. It is important to have a formal structure but use it in practice. Countries with one system often find difficulties in management and authority. It is important that this committee receive essential advice. There are three principal advisors: the Senior Officer (uniformed) in the Iraqi MoD; the head of the national Intelligence Service; and the National Security Advisor (who is a political advisor). They are not part of the decision making body itself. Anther advantage of the National Security Advisor is the interministerial coordinate that this position can provide. This position place a critical advisory role and ensures coordination among the ministers and the ministries.

AMB RICHMOND: There are three principal advisors in the UK: civil control; cabinet responsibility and accountability for parliament. This is chaired by the prime minister and it always includes the MoD, MFA, MoFinance and others according to the need. They are advised by the Chief of the Defense Staff and individual heads of the serves and the head of the Intelligence Service. There is no National Security Advisor in the British system.

MR. GOMPERT: Clarified one point ref the Chief of the Defense Staff. This position would not be the CG of the Iraqi Armed Forces. You really have two very senior officers within the MoD...the Commander of the Armed Forces reports directly to the MoD.

GHAZI AL YAWI: Stated the need to consider the role of the think tank group also.

JAAFARI REP: Mentioned the three advisors and asked what position they take with the Prime Minister.

MR. GOMPERT: Explained the roles from each country. Further stated the National Security Advisor actually is a part of the president's office... is a senior member of his staff.

OTHER: Asked if the president or prime minister would be better off to have this committee attached to either?

MR. GOMPERT: Very difficult question to answer. It would be best to view the prime minister as head of policy making. It is not always easy for the president and prime minister to work together on issues on national security. We need to he concerned with how the people will accept these committees. Previously, they were oppressive.

AMB RICHMOND: Stated he had already informed the committee about his country's accountability to Parliament. Further went on to explain that no prime minister would embark on a major foreign advance without the approval of Parliament.

MR. GOMPERT: Felt that selected officials who hold these positions of utmost importance would be basically politicians but they must also have the highest integrity, be impartial and be responsive to the director and the people.

JAAFARI REP: Stated that both countries (US and UK) have long experience. Asked for views and recommendations in building national security...looking for advice.

MR. GOMPERT: The system of policy and decision making for the US is useful not only peace time but in crises and war time as well. Something closer to the UK is better here because the American model has a high concentration of decision making with the president. We have a federal system where internal security problems are addresses by local, state or federal authorities. With regard to civilian control over the military, we have national command authority. It must make sense from the political point of view and the operation point of view as it forces them to receive clear decisions.

MG Gallinetti was asked to describe this process.

MG GALLINETTI: As an example, he went from the low levels on up. LTG Sanchez is in charge of the special task force comprised of all service members...we are all here to assist the CPA. CJTF7 responds to a higher command, GEN Abizaid, the Unified Combatant Commander. He is in charge of a geographical area in the world which includes Iraq. He reports directly to our Secretary of Defense. The Secretary of Defense

reports directly to the President of the US. The Secretary of Defense a the principal cabinet member...he receives advice form the Joint Chiefs of Staff (GEN Meyers). The Secretary of Defense has many civilians and military on his staff. This joint working relationship makes everything else work. Each one of our military services also has a senior military officer in charge and he reports to the civilian head of that service. The senior military officer for the Army is the Chief of Staff. He reports to the Secretary of the Army who is a civilian.

MR. GOMPERT: There is a very simple line from the president or prime minister to the commanding officer in the field. It is very direct, clear and short and vice a versa.

MR Any soldier will tell you their president is their commander in chief (CINC).

MR. GOMPERT: Mr mentioned the CINC. The term is used to make it clear where the command begins. We don't know if it is the right term for Iraq. It is believed there is a strong argument to have the prime minister to serve as the CINC. It is important to have a system that will function well in peace time as well as war time. It should be your choice to have a president or prime minister.

MG EATON: Illustrated one point of civilian control. Stated that if GEN Abizaid wanted to transfer an infantry squadron it would require permission by the Secretary of Defense.

MR. GOMPERT: Stated that internal security problems rested with MoI and not in the MoD chain of command.

MR. Stated he would give the committee a view of how the US models its law enforcement. He stated there are three levels: federal, state and local. Further explained the history of how the US came to these levels. He further stated that whatever system Iraq builds the public expects to feel secure.

MR. GOMPERT: We can do a better job in preparing and structuring. The original work program only went out two months. After covering all principal topics we will come back to you and go over them with further detail

Meeting ended at approximately 1540.

# The meeting of the security committee on Thursday 22/01/2004. At governing council building in4:00-2:00.

### Summery

- 1. Determined the date for visiting the military college on 14/02/2004.
- The discussion for next week will be about the ideas to establish Ministry of Defense and National Security Agency.
- 3. Determined the security forces that Iraqi people trust it inside Iraq.
- the security forces should be establish according to the national laws and under the state supervision and the military forces should be under the civilian authority.
- The Iraqi forces should be able to reassurance protection by reassurance all the requirements of the civil defense.
- 6. This forces and agencies should be widely representing the Iraqi people.
- Discuss the matter from economic side to form and distribute the allowances of defense and all other things that need financing.
- The necessity of having good regionalism security relationship to achieve good
  opportunity to Iraq.
- 9. There is another chance to make Iraq part of the international society.
- The challenges that Iraq will face inside the society are mutiny, terrorism, extremism and civilian riot.
- 11. The possibility of making Iraq deal with the security matter and the role of CPA to assist Iraq in this aspect.
- 12. The army will be under the civilian control and there should be a decision not to use the army for the security crisis unless there is especial crisis.
- 13. The Iraqi police should have high abilities to serve the Iraqi people.
- 14. Training cadres consisting of three units which are able to confront the terrorism operations.
- 15. Determined the best Iraqi police officers in order to train them by C.P.A.

- 16. Determined the kind of control upon the border which depends on technology and intelligence or by increasing the number of the police figures.
- 17. Using the intelligence in leading and control.
- 18. Establishing the unites of quick involvement. Fast intrusion forces
- 19. Dr. Ayad Alawi pointed out the following points:-
  - A- Keep the army away from the interior task.
  - B- Enlarge the security ability.
  - C- The security institutions should do their role to manage the security.
  - D- The idea of using the army in emergency cause should not be delete.
  - E- Some members of the security committee will hold meetings concerning speed and presenting its ideas to the security committee.
  - F- The importance of the first person presence or his represent for the importance of the discussions that will be.
- 20. The possibility of establishing an army which will not involve in politic.
- 21. Unified the police forces between the governorates and the capital.
- 22. The necessity of forming anti-riot forces equipped with special equipments.
- 23. Find the youth leaderships and take advantage from the experienced leaderships.
- 24. Limitation the parts of the Armed forces by civil defense and develop the attack forces and develop the navy forces.
- 25. There should be no such an armed forces except stated in law.

# In the name of God Most Gracious Most Merciful

The Governing Council
National Security committee Session #3
Session Date 01/15/2003

### Minute of National Security committee meeting on 01/15/2004

- Dr. Ayad Allawi inaugurated the session welcoming the attendees, hinting that
  meeting will be divided into two parts; one is to be negotiated with the friends
  which are related to work- paper. After concluding the meeting with them there
  will be another meeting to discuss other subjects.
- Mr. David Combert started talking as saying that he will preliminary tickle the
  work paper, and the significant points summary shall be discussed to be
  distributed to you at the next meeting. The second point which is to be
  discussed with the esteemed member is that we will basically start a new
  mission that is how to deal with the officers and non commissioned officers,
  particularly. Those who will constitute the nucleus of the Iraqi new army.
  General Iton will give you briefing about it.
- General Iton suggest a visit by helicopter is to be made to Karakoush bas where they will have an opportunity of speaking to the Iraqi new Battalion which recently graduated to view their impressions about their new life. He also suggested a visit to officers of 4<sup>th</sup> battalion and have lunch with them. The trip will be go and comeback at the same day.
- Dr. Ayad Allawi exclaimed, what day did you fix? I have negotiated this subject
  with Mr. David combert and said that the security committee will supervise the
  officers life, so we are determined by God help, to go but waiting for timings
  and thank you for invitation.
- Mr. David talked about the previous work paper particularly what is pertaining
  to national security and he tackled the national security policies as far as the
  policies and procedures which will be adopted during war during war and peace
  and crisis. This principally hard work at the beginning for reasons:-

First: The security institutions need to be rebuilt.

Second: We will face another challenge that is how people would deal with the security institutions in the new Iraq.

Third: However Iraq is a part of the world and achieving security is regarding one of the priorities, but we must take into consideration requirements of the internal and external security. Functions of national security institutions shall spread their missions where they will not be concentrated in one scope. We do believe that security unit would competitively meet all requirements of national security maintenance. We will try to make all institutions contribute to maintaining security. For instance, the concerned ministries in this respect would be interior, justice, defense and foreign affairs. There will be policy of flexibility for every case as every ministry can represent the nucleus of the national security.

Relatively the transport system and oil refineries would be exposed to dangers. We have adopted common procedure to exploit in different matters. Hence, some countries adopted specific judicial and legal system but there should obstacles in execution mechanism. We believe that what is more important is to have many ministries which undertake providing advice and consultancy. We suggest three chief advisors for state leadership. That is the American system as one of these three advisors should be the highest military rank in ministry of defense who is called chief of state. The second advisor for intelligence whiles the third for national security that function as advisor for politics. These three advisors will insure that the ministry is benefited from them.

- Ambassador Richmond clarified that there are three principles governing the British system. These are the ministerial responsibility, control and responsibility towards parliament. The security policy is the responsibility of the ministry. This committee is headed by prime minister, minister of defense, minister of foreign affairs and finance, because defense policy costs amounts of money. There are other who gets consultation from chief of staff and every branch of the armed forces and chief of intelligence system. They will among the committee as advisors with difference from the American system, where no advisors for national security to which subsequently I will explain the relationship with the parliament.
- Mr. David pointed out that one point need to be clarified, that is the chief of staff is the main advisor for prim minister and not the commander-in-chief of armed forces. For American forces w have an officer at high level for ministry of defense, and there is the senior advisor and the second role is confined to leading the armed forces, commander of armed forces will be responsible towards the ministry of defense directly.
- Dr. Ayad Allawi pointed out that these matters are important as a footstep for work, but that dose not mean we do not discuss from our privacies and requirements, the significant thing, let us discuss the point provoked by the attendees.
- Mr. Adnan Al-assadi pointed out that we would like to have this order written, we want more details, that would serve and on rich negotiations. The question is that what is the position of security committee advisor and intelligence director

- and national security advisor from the state? In any position they would be. Are they linked to presidency commission, the republic president? Or they are linked to political force directly.
- Ambassador Richmond pointed out that in the U.K the advisor in the army gives
  consultation to minister of defense. There is a possibility to give consultation to
  prime minister directly and likewise director of intelligence provides it to a
  committee and maintains direct contact with prime minister. This is
  contradictory to American system.
- Mr. Combert commented as saying that chief of join staff is the main military advisor and maybe introduced as senior advisor of minister of defense. Intelligence director is responsible towards nation security council or the ministerial security committee. He shall be the higher person in intelligence services and as an independent branch working confidently with ministries. For this intelligence information, the national security advisor will be one of the president offices in America. He is senior member of the president officials. Normally the president of the state or the president of the republic is the same person. In Iraq there will be state president and government president. In the United States the national security advisor shall be among the advisors of the president. We will try to do what you have suggested, we want the matter to be well arranged in order to give the discussions detailed points more than what the work program contained, it would be easier from adopting the written paper with you.
- Dr. Hachim Al-hassani exclaimed saying that in the American pattern, is there a
  minister of finance.
- Mr.Combert pointed out that there is a minister of finance, called up when the
  decisions demand amounts to be executed, but he is not among the committee.
- Dr. Hachim Al-hassani asked as saying for the head of central bank who is
  regarded the strongest man in America. Is it preferable for Iraq which is a
  republic to have a president and prime minister? Which is right in this pattern; is
  it to link the council to the president or to the prime minister.
- Mr. Combert replied; that depends on nature and capacity of presidency. In
  many countries it is considered as a symbol national unity, but it is not a main
  player, it is better to look at the prime minister as the chief of politic ton. In
  cases at which the president of the republic belongs to a party and the prime
  minister to another one like France, it would not be easy for both to act
  effectively.
- Mr. Jassim Mohammad Sohrab pointed out that the former experience was associated with oppression we are now building new institutions which have no links with the past as far as their policies, leadership organization and administration are concerned. But what I consider of efforts already being exerted to rebuild these institutions is a great effect. I believe these efforts should be combatable with likewise once to find out the possible procedures to have them accepted by public.
- Ambassador Richmond pointed out when we talk about parliament in the link there would be a committee inside the parliament, its responsibility concentrated to all these matters. We can raise these question to minister of defense to be

- subjected to negotiation in side the parliament, like using the armed forces which approved by the prime minister, and do not have to be approved by the parliament when using them abroad. But it would impossible for prime minister to take any step for abroad interference with out approval of parliament.
- Mr. David Combert pointed out that the forces leadership and selection of leaders would be of great importance. President of republic and prime minister would select and would be responsible for that before nation. The advisors will be of high ethics and neutered and respondent with the politician's instructions but they do not interfere in politics. They are who would cultivate confidence among Iraqi people.
- Mr. Adnan Al-assadi pointed out that Mr. David has mentioned three points
  while they are talking about stable situation in their countries. But for us in Iraq
  we are living emergency situation, these formations are useful for their
  countries, but we are living confidence crisis where charges are already directed
  to the council as being a British-American institution. The second point is way
  in which people can accept these formations.
- Minister of interior pointed out that this subject is very important and to get it
  more closer to our minds, it would be perhaps more important to talk about
  weakness and strength points in every regime, there ultimately are many
  breakdowns for each of them during war and peace time.
- Mr. Bukhtiyar Ameen pointed out that Iraq is supposing should have a structural federalism, and your country had a long experience in this filed, so what are your recommendations and demands about building intelligence system in federal Iraq. Actually there is an independent region "Kurdistan" of security formations so, how coordination would be conducted between the center and this regime?
- Mr. David Combert talked about; decision maker system in the USA is useful in war and peace and crisis. We develop an intelligence system as to be capable of operating during war, peace and crisis and we know where weakness and strength points hide, I believe that the French style system would be useful for you because the American one depends that the president and the prime minister are one person, but in the American system of government, the power is concentrated in hand of one person, who is the president of the republic as for federal system, we have got a federal system that had developed over 200 years where the federal government assumes unclear responsibility about foreign policy and defense. But in case of internal security problems, they have got to deal with it at the national and security level. The pattern which depends on ministry is that one which has many benefits in Iraq. Since British ministry is formed from elected people, so it is responsible before nation.
- Ambassador Richmond pointed out that they are in British in need for a regime
  and institutions to operate during peace, war and crisis it would not be possible
  to change the regime so suddenly, for the regime you already have should be
  relied on right basis where it can not be changed into dictatorship during.
   Therefore what I have said that the anti-dictatorship guarantee is the civil and
  source of citation control and responsibility before the parliament.

- Mr. Combert pointed out that the authority of the civil administration should have a constitutional authority from the operational point of view and the forces itself should receive orders so clear to provided that is ready to carry out missions, I would like to concentration this point and General Gallenti will explain that.
- General Gallenti pointed out that debate is useful but what I am doing to say will not consent you, you might have seen different uniforms of Marines. There are the operational forces who gather here in Iraq. General Sanchez is the commander of the forces. These armed forces consist of various services, infantry, navy, army and air force. We have to assist the coalition provisional authority. It clearly evident that we are responsible toward higher command, who is General John Abbi Zaid, commander in chief of united forces. He is responsible for limited geographical zone that were Iraq and Afghanistan and Gulf. Inferior to him all services I have just mentioned. The minister of defense is responsible before the president directly, President Bush. And a I said, the minister of defense belongs to the significant group of the ministry member, and in his turn he receives instructions from General Mayers, but the minister Rumsfeild keeps big number of civil official, and military once. It is joint operation between civil and military who lead this process successfully. But obviously that the civil control which will be responsible before the president of republic. We have senior officer responsible for it, but that commander is responsible before civil commander for his forces.
- Mr pointed out that what General Gallenti has described about the civil leadership of military forces is very clear but if you asked any military who is in your commanders he will answer president Bush.
- Mr. Combert pointed out that what Mr. That mentioned it may seen very strange to describe civilian person as he was the commander in chief of armed forces, we use this expression to make it clear, and I do not know whether this expression can be trusted in Iraq. Because the president of the republic and the state one is one person. If it happened to have a republic president and prime minister the case here would be more difficult. If the president of the republic has become symbolic. I think the subject is to be referred to prime minister. One of the privileges of granting authority to prime minister is that he will be the sole responsible for setting up the entire national security policies. As it is more important you find out a regime that can operate during war and peace and crisis, so the commander her will be capable of issuing the decisions relevant to internal security in such way that in sure its continuation. But if the republic president was the higher commander-in-chief of armed forces there should two subjects. The first one is to determine what role the prime minister will be playing in the chain of command. The second is that work between president and prime minister most probably would not continue. I am sorry to give definite suggestions because the situation in Iraq is liable to Iraqi laws. The last point is that presidential commission of the republic is likely to be entrusted to more than one person disregarding other characteristics and disadvantages of the presidential commission; I believe it will yield some dangerous concerning

the national security leadership and it may cause delaying the decision or other essential subjects in war and peace.

- Mr. pointed out that he would like to add a point which is the state system
  we have is a stable one although it had not been built when we had been as same
  of your conditions.
- Mr. talked as saying, please do not adopt the American pattern because I have worked for 33 years in this system and I believe that there would be better than it. In the American system there are three categories of imposing order as following:-
- 1. Local.
- 2. State.
- 3. Federal.
- We have a long history, acquired a practical system at all levels and I can evaluate the differences between states, and we have to remember that the United States had not been different from the current condition. The 13<sup>TH</sup> colonies were sometimes disagree in opinion over the general situation in the country. Different ideas about liberty and independence. The main difference is that their history is not as deeply as you already have. The development of United States had not grown up by means of federal system but rather local system. This led to civil war claimed the lives of 600,000 American, so our mission is to spare you such war. This history which pushed the United States in this direction. The reason behind execution of law conducted by different levels is for fear of restricting the power in hand of one person. There are three levels, local police, local laws, states police, states laws, federal police, and federal laws. In this system the authorities shall be one responsible for the other. There are other procedures being developed to counter the same challenges in Canada which has some to being. At the same time they have federal system of limited local law enforcement. In Australia there are strong local laws and few federal laws, and there many procedures, I would like to point out that the idea of ministry of Interior in the United States is so strange to American law. We do have a ministry of Interior but its responsibility is for lands which is property of the state. When minister of interior is mentioned it is actually mean that there are 3 ministries conducting the work which Mr. Noori Al-bedran is conducting, I trust the work the minister is doing and its control work is the main direction being followed in your country. It tends to be in the same procedure of the federal procedure of the United States. It may adopt local laws inside, whatsoever the regimes system you will adopt, the people must feel security by all means. You have to ask yourself, what are the things the people almost need more, and if the threat is allover the country or local one, this is the system you ought to have.
- Dr. Ayad Allawi pointed out that we will take this point into consideration for discussion carefully.
- Mr. Combert said that he believes, we are capable of working longer than we do now by incorporating your experience to our expertise. The second element is to

give the main topics a wide scope so that we go back to every one specifically. This procedure will grant you the opportunity to provide us with your opinions so that we can work best together.

### The session continued after coalition officials departure.

- Dr. Ayad Allawi inaugurated the session as saying that Mr. Combert is charged by President Bush to assist making decisions and formation Iraq ministry of defense and the American side earry important ideas, some of them are positive, I suggested to them to negotiate matters very deeply. The second element that part of the meeting will designate to be with the American side and the other part; we discuss some of the matters concerning Iraq. There is a branch committee has been set up represented by all active personalities in the council in addition to coalition forces. Therefore, these meeting will be conducted with them and in part for us a lone.
- I have received a letter from minister of oil about transporting oil tankers from Beji refinery to south of Iraq, I proposed a committee should be set up, joint committee involving coalition forces because this subject requires protection and expenses.
- Minister of interior talked as saying (Three weeks ago we had fuel crisis; I met minister of oil and told him that we can insure protection but we need vehicles and communication system. The police also need additional danger expenses. The second day I presented the matter before the Governing Council and actually a force of 250 elements was formed escorted by 50 vehicles. Today I met the minister of oil and told him to inform me the number of columns of tankers starts from Beji and the same from Alwalced, so we agreed on informing the road protection force by ministry of oil, with these details as well as to coordinating with coalition forces, we need to be supplied with communication long-range systems.
- Representative of Mrs pointed out that we can divide Iraq in to various districts and coordinate with head of tribes to insure protection of convoys.
- Engineer Jawad Al-bolani pointed out that the fact raised by the Said
  representative involves many problems, for the Iraqi tribes are of importance to
  settle conflicts. As committee we have to meet before we meet with coalition
  forces so that we can program the issue to be submitted by the chief of the
  committee, I hope you activate the proposal.
- Dr. Ayad Allawi replied that it positive asking about the date of the meeting of the branch committee.
- Mr. Bukhtiyar asked about the passport of the pilgrims.
- Minister of interior replied that director of passport is member of ((Haj))
  committee.
- Dr. Hachim Alhasani pointed out that there is a question presented yesterday before the Governing Council, it is the case of the policemen working in the

Council who is responsible for them. Is it the senior deputy of ministry of interior or the minister? It is clearly seems the minister because he only has the higher authority. The matter was discussed and referred to national security committee something has been provoked over the senior deputy of ministry of interior. The essential question is that Mr. Noori has dismissed the policemen who were here and assigned new ones, supposingly we have got to give them recommendation in this field, since the policemen appointed by the senior deputy of minister of interior.

- Mr. Adnan Alassadi that the decision is left to minister of interior because it is a humanitarian case, we want them transferred and not dismissed
- Minster of interior pointed out that ministry of interior is different than other ministries, and the orders is orders, and anyone violated will be punishable and they are policemen, four months ago there were a group guarding the compound and an order has issued to replace them each two months, and when it is passed two months I warned the office and told them to prepare another group, the another group was prepared and I surprised that this group did not execute the orders, and that means ruining the police power, after that I received a letter from the general secretary of Governing Council to point out that this group is appointed by LT Gen Ahmad Kadim, I do not accept that and that interfering in my business. I sent them a massage to obey to the order or they will be punished, so I used my authority which is anyone disobey the order will be dismissed and that done.
- Mr. Adnan Alassadi pointed out that he agrees with the decision of the interior minister.
- Dr. Ayad Allawi suggested some suggestions as following:-
- 1. Dedication the idea of replacement the force every two months.
- This issue is entrusted with the minister of interior, I think that there should obeying to minister of interior order.
- 3. I agree with transferring them to another place.
- The minister of interior pointed out that he will deal with this issue.
- Dr. Hachim Alhassani pointed out to the necessity of issuing a recommendation to the council members that if there is a problem like this they will sending for the minister of interior to discuss the issue with him.
- Mr. Jawad Albolaani clarified that there was a suggestion in the past to establish
  a security office, and the general secretary of the council dose not know that
  there is a replacement system to the police every two months.
- Mr. Bukhtiyar Ameen pointed out that he is against any interfering of any member in the ministers order, and we have a police forces under commands of the minister of interior, and a paper had received from Major Mr. says do not appoint LT.GEN. Ahmed Kadim. There is misunderstanding, I hope human considerations should be paid attention. This time regulations and instructions need to be intensified so strictly. The secretarid -General should be informed over any replacement of force. This matter should be solved, police should be punished and transferred.

- Minister of interior pointed out that, it is necessary to issue a recommendation to Governing Council to stop interference, and decision of minister of interior should be implemented.
- Dr. Ayad Allawi pointed out that the next meeting will be held at one o'clock attended by a group from coalition forces.
- Minister of interior pointed out that some of the ministers, at the meeting, demanded solving so dangerous problem. That is we got programs of reconstruction cost Billions of dollars. They are afraid that these incoming materials maybe exposed to stealing. They wanted un a achievable demands to protect these materials where I am not able for this task, I told them that civil defense Battalions are well trained and can solve the problem. They can be changed with protecting the highways and depots and power stations.
- Dr. Ayad Allawi asked the minister of interior to submit a report in this respect.

Advisory Consultation between the Security Committee of Iraq's Governing Council and CPA/CJTF7 Team January 15, 2004
Key Points:

- The advisory team discussed principles of a national security system and outlined that it comprised two important elements: national security policy making and the national command authority structure (lines of command and control authority).
- The team described the features of both the US national security policy making system and the British Cabinet system with a focus on a national security committee of cabinet (NSCC) (with a core composition of MoD, MFA, MOI, MOJ) as the policy making arm chaired by the Prime Minister as the first among equals. Other ministers, such as the MoF may be included as many decisions taken have resource implications.
- Due to the need for an even distribution of authority and the likelihood of a future Iraqi government made up of several political parties, advisors outlined the advantages of a national security advisor (NSA) as in the US system, to advise the NSCC and to facilitate ministerial coordination of policy making.
- The team underscored the importance of the Intelligence chief and the Chief of Defense staff as participating advisors (along with the NSA). The composition and participation of advisors on NSCC would vary according to the crisis.
- It was pointed out that it is important that such a system is designed to function in peacetime, crisis or hostility and can move without discontinuity from one phase to the next.
- The weight and character of the President relative to the PM was discussed with reference to the French political system and the difficulty of separating the PM from national security particularly if they are from different political parties.
- Iraqi members placed importance on the public acceptability, trust and
  accountability. Advisory team suggested that control by elected civilians with
  policy making in the hands of elected ministers (as members of Parliament) as
  opposed to an appointed executive, will ensure greater accountability to
  parliament and public disclosure.
- The team explained models of national command authority structures. The
  civilian line of authority from the Commander in Chief, through the MoD down to
  the Operational commander was discussed.
- Federalism was raised and the team pointed out that a national federal government would have authority with regard to national defense, foreign policy and aspects of national security policy, whereas domestic security problems may be dealt with at several levels of government depending upon the nature and magnitude of the threat.
- Iraqi members discussed the position of the CDS, Chief intelligence and NSA
  within government. The team explained that all three advised the NSCC and PM
  as required. The CDS was also an officer within the MoD and primarily advised
  the minister of defense. The Chief of intelligence headed up an independent
  agency of government and the NSA also coordinated inter ministerial policy
  development.

# GC SECURITY COMMITTEE MEETING 15 JANUARY 2004 @ 1400

DR. ALLAWI: We would like to discuss the meeting from last week...discuss actions from previous meetings and discuss the working paper with the CPA.

MR. GOMPERT: I would like to start with two items: to provide the committee with key points from the previous discussion which was procedural...hereafter these discussions will cover important issues and provide them at the next session; also, I would like to invite the members of the GC Security Meeting to come to the KMTB. This will enable you to gain first hand knowledge of the training that is being conducted. Mr. Gompert then asked MG Eaton to explain the particulars. MG Eaton stated this would be a good opportunity to speak to the 1<sup>st</sup> Iraqi Battalion and gather their impressions and to also visit the officer training with the 4<sup>th</sup> Battalion and have lunch with them. Ground time would be 4-5 hours. We will provide a series of dates.

DR. ALLAWI: thanked MG Eaton for the invitation.

MR. GOMPERT: Reference the National Security Decision Structure Policy (NSDP)...this is the authority over the armed forces...this is in effect from peace time to hostilities. We have to take into account the external as well as the internal into the policy decision making. We have to give the Iraqi people the confidence to accept these establishments. 1 am going to offer a model for the NSP for the US and Ambassador Richardson will offer the UK view. Our assumption is power, authority and capabilities would be distributed rather than concentrated. The ability of the cabinet to function is crucial to policy making but not the entire cabinet. You need to limit it to the few who have security responsibility...the core ministries within the cabinet...the Mol, MoD, MoJ, and the MFA. It has to be flexible. I think it is important to have a formal structure but use it in practice. Countries with one system often find difficulties in management and authority. It is important that this committee received essential advice. There are three principal advisors: the Senior Officer (uniformed) in the Iraqi MoD; the head of the national Intelligence Service; and the National Security Advisor (who is a political advisor). They are not part of the decision making body itself. Anther advantage of the National Security Advisor is the interministerial coordinate that this position can provide. This position place a critical advisory role and ensures coordination among the ministers and the ministries.

AMB RICHMOND: there are three principal advisors in the UK: civil control; cabinet responsibility and accountability for parliament. This is chaired by the prime minister and it always includes the MoD, MFA, MoFinance and others according to the need. They are advised by the Chief of the Defense Staff and individual heads of the serves and the head of the Intelligence Service. There is no National Security Advisor in the British system.

MR. GOMPERT: I would like to clarify one point ref the Chief of the Defense Staff. This position would not be the CG of the Iraqi Armed Forces. You really have two very senior officers within the MoD...the Commander of the Armed Forces reports directly to the MoD.

GHAZI AL YAWI: we need to consider the role of the think tank group also.

JAAFARI REP: mentioned the three advisors and asked what position they take with the Prime Minister.

MR. GOMPERT: explained the roles from each country. Further stated the National Security Advisor actually is a part of the president's office... is a senior member of his staff.

OTHER: asked if the president or prime minister would be better off to have this committee attached to either?

MR. GOMPERT: This is a very difficult question to answer. It would be best to view the prime minister as head of policy making. It is not always easy for the president and prime minister to work together on issues on national security. We need to be concerned with how the people will accept these committees. Previously, they were oppressive.

AMB RICHMOND: Stated he had already informed the committee about his country's accountability to Parliament. Further went on to explain that no prime minister would embark on a major foreign advance without the approval of Parliament.

MR. GOMPERT: I feel that selected officials who hold these positions of utmost importance would be basically politicians but they must also have the highest integrity, be impartial and be responsive to the director and the people.

JAAFARI REP: Stated that both countries (US and UK) have long experience. Asked for views and recommendations in building national security...looking for advice.

MR. GOMPERT: The system of policy and decision making for the US is useful not only peace time but in crises and war time as well. Something closer to the UK is better here because the American model has a high concentration of decision making with the president. We have a federal system where internal security problems are addresses by local, state or federal authorities. With regard to civilian control over the military, we have national command authority. It must make sense from the political point of view and the operation point of view as it forces them to receive clear decisions. I will ask MG Gallinetti to describe this process to you.

MG GALLINETTI: as an example, I will go from the low levels on up. LTG Sanchez is in charge of the special task force comprised of all service members...we are all here to assist the CPA. CJTF7 responds to a higher command, GEN Abizaid, the Unified Combatant Commander. He is in charge of a geographical area in the world which

includes Iraq. He reports directly to our Secretary of Defense. The Secretary of Defense reports directly to the President of the US. The Secretary of Defense a the principal cabinet member...he receives advice form the Joint Chiefs of Staff (GEN Meyers). The Secretary of Defense has many civilians and military on his staff. This joint working relationship makes everything else work. Each one of our military services also has a senior military officer in charge and he reports to the civilian head of that service. The senior military officer for the Army is the Chief of Staff. He reports to the Secretary of the Army who is a civilian.

MR. GOMPERT: there is a very simple line from the president or prime minister to the commanding officer in the field. IT is very direct, clear and short and vice a versa.

MR. any soldier will tell you their president is their commander in chief (CINC).

MR. GOMPERT: Mr. Steele mentioned the CINC. We use the term to make it clear where the command begins. We don't know if it is the right term for Iraq. I believe there is a strong argument to have the prime minister to serve as the CINC. It is important to have a system that will function well in peace time as well as war time. It should be your choice to have a president or prime minister.

MG EATON: illustrated one point of civilian control. Stated that if GEN Ahizaid wanted to transfer an infantry squadron it would require permission by the Secretary of Defense.

MR. GOMPERT: Stated that internal security problems rested with Mol and not in the MoD chain of command.

MR Stated he would give the committee a view of how the US models its law enforcement. He stated there are three levels: federal, state and local. Further explained the history of how the US came to these levels. He further stated that whatever system Iraq builds the public expects to feel secure.

MR. GOMPERT: We can do a better job in preparing and structuring. The original work program only went out two months. After covering all principal topics we will come back to you and go over them with further detail

Meeting ended at approximately 1540.

- 1. Divided the meeting in to two parts the first one with the CPA and the second is independent.
- 2. Submit a request to establish an Iraqi security establishments started from the base.
- 3. Sending an invitation to visit kirkush training base and disused matters with officers and soldiers.
- 4. The ways of applying the National Security police should be suitable to the country conditions in peace, war and crisis.
- 5. The difficult to apply this police is:-
- a- The necessity to re-establish new security establishments.
- b- Give people confidence to accept this establishments.
- 6- Distribute the responsibilities of achieving the security to different sides so that the national security will not depend on one side.
- 7. The ministries that intended to the national security are ministry of interior, ministry of defense, ministry of justice and ministry of Foreign affaires.
- 8. It is possible to add other ministries for the above mentioned ministries represent the core of the national security establishments.
- 9. The necessity of having unified public form liable to be applied in all the aspects.
- 10. According to the American system, the necessity of having committee consist of counselors in the leadership of the state. This committee will submit advice and consultations to the main committee.
- 11. The American system maybe will harmonize the Iraqi system.
- 12. The number of the counselors will be three.
- 13. The counselor will be part of the policy not a part of the decision process.

- 14. The necessity of coordinating between the ministries.
- 15. The civilian control, the ministerial responsibility and the responsibility towards the parliament represent the main of the British system.
- 16. Explain the British security policy whereas the minister of the finance should be consider within the main core of the national security committee.
- 17. Decide the policy according to preference to have premier and president or to have president only.
- 18. Submit the details of the active memo before the meeting so that the members of the security committee will be able to discuss with the other political parties and work with the CPA to make the final form for the security policies.
- 19. Where will be the position of the three counselors in the mew Iraqi state structure?
- 20. The different between the American and the British system is having the finance minister because we have many decision required to be finance.
- 21. In case there is a president and premier there should be a coordinate between them especially concerning the national security affairs.
- 22. The premier does not need agreement to use the military forces outside the country but he needs the agreement of the parliament.
- 23. Put special criteria to choice the national security counselor, chief of intelligence agency and Chief of General Staff.
- 24. It is important to find a security system harmonizes with the Iraqi circumstances.
- 25. Establishing an intelligence system in secularism Iraq.

- 26. The system should be depend on appropriate foundation so that in emergency cases will not turned into Dictatorship.
- 27. The civilian control the army.
- 28. The higher commander should be a civilian.
- 29. The characteristic giving the authority to the premier is be responsible about the national security.
- 30. The role of premier in the leadership authority.

	(GS-13)	
From:	CIV	
Sent: Tu	esday, January 13, 2004 7:47 PM	
To:	(GS-13);	(AUS)
Subject: RE	FW: Advisory Consultations on National Se	curity
GC schedule-k of the committe to the # of atte	ee's members concerning the new time. The	d date! asked her to personally reconfirm with each y will likely meet in the small building (chambers) due
Thanks:	1	
CPA Liaison to	the Governing Council	
Governance To	eam	
Or	iginal Message (GS-13)	
	Monday, January 12, 2004 10:22 AM	
To:	CIV Policy; (AUS)	
Cc:	ct: RE: FW: Advisory Consultations on Nation	nal Security
Thank Thx,	swill wait to hear back ref confirmation for t	he Secretariat.
	Original Message	
	From: CIV Policy Sent: Monday, January 12, 2004 10:18 AM	
	To (GS-13);	(AUS)
	Cc: CIV Subject: RE: FW: Advisory Consultations of	on National Security
	Let's keep these dates because they refle Thursday at 12:00. We will have to cor	ect the change from Saturday meeting times to firm with GC Secretariat.
	can you confirm with the Secretaria reflects this change – this is per Dr. Alla	at that the security committee meeting time awi's instruction.
	Thanks	
	From: (GS-13)	
	Sent: Monday, January 12, 2004 1	0:12 AM
	To: CIV Policy; Subject: RE: FW: Advisory Consul	
	Importance: High	adulis of National Security
	Really need something soonest on	the dateshave to rearrange calendar items

Thanks	
us?	on for 0900, 13 Jan 04 and Jaafari is on for 1930, 13 Jan 04. Are you going with
Will wait Thx,	to hear from you.
-	Original Message
	rom: CIV Policy
1	Sent: Monday, January 12, 2004 10:04 AM  To: (GS-13)
5	Subject: RE: FW: Advisory Consultations on National Security
\	Working on this with
I	Do you know what time the meeting with is today? Any other
	neetings set up?
	Thanks
ľ	How's ?
	Original Message
	From: (GS-13) Sent: Sunday, January 11, 2004 12:18 PM
	To CIV Policy
	Subject: FW: FW: Advisory Consultations on National Security
	part
	Can you please answer my questions below?
	Thx,
	Original Message
	From:
	Sent: Sunday, January 11, 2004 11:23 AM To: (GS-13)
	Subject: Re: FW: Advisory Consultations on National Security
	I am out of the loop. Please talk with in our office.
	I am out of the loop. Please talk with in our office.
	(GS-13)"
	wrote:
	Hi. Do you have a time for this meeting yet? Will it be at the GC
	Building? Also, I have these meetings on calendar for the
	following dates: 15, 22, 29 Jan and 5, 12 Feb. Are these correct?
	Will wait to hear from you. The
	G. (SA)
	Original Message
	From: (GBR)
	Sent: Wednesday, January 07, 2004 7:52 AM
	To: Gompert, David C. (SES); Eaton, Paul D. MG; Gallinetti, Jon A. (O-8); (GBR); Casteel, Steven W. (SES-O6)
	8); (GBR); Casteel , Steven W. (SES-O6).

	try of Gove! rhance;		5-13)	
Subje	ect: RE: Advisory Cons	ultations on Natio	nai Security	
Soun	ds good. Let us know t	imes for Thursday	/ 15 <sup>th</sup> .	
Philips -				
	of Policy Planning & Ar			
	ion Provisional Authority M239	- Baghdad		
cell: (-	(India)			
DSN:				
civ: (+	Children			
	Original Message			
	From: Gompert, Da			
	Sent: Tuesday, Jan			
	To: Gompert, David			
	A. (O-8);	(GBR);	Casteel , Steven	W. (SE5-
	06);	C). Coulth Frader	(GBR)	
		(S); Smith, Freder Governance;		SS-13)
	Subject: RE: Adviso			
	Subject: RE: Adviso	ny consultations	JII National Sect	intry
	1 PR and I discussed	this with Allawi to	nday. He anree	s that it is

(AUS); Smith, Frederick C. (SES);

LPB and I discussed this with Allawi today. He agrees that it is essential to get this underway and believes fraqi side has much to gain from it. He and we agreed that the formal channel must be with the national security committee of the GC. Its meetings will be shifted from every Saturday to every Thursday to cause a better turn-out, given the importance of this – starting next, not this, Thursday. He liked our approach (attached). He appreciates the need for give and take, as well as the need for candor. He knows there are some sensitive issues for the traqis. We agreed that discussion of operational concerns – e.g., training abroad, personal security, status of IAF training – should be dealt in a separate part of the agenda in order to ensure focus on the permanent institutional issues.&n! bsp;

As we knew he would, Allawi said we would also need a "small group" to focus on issue and matters in need of decision. At first, he suggested that the "small group" would be he and I. I said that would not work on the coalition side because we have several people on the team and others who may join from time to time. I suggested that he and I propose to the committee that it would be practical to have a sub-committee with whom we could get together as needed prior to full meetings. He seemed attracted to this idea and said he would get back to me to confirm and to suggest Iraqi participants.

In any case, I would like the following to be available for the first session next Thursday: Eaton, Formal or Governance. In addition, Formal and British are most welcome. The first session will be devoted to (1) explaining the purposes and process, and (2) to provide an overview of the first topic: national security policy-making and command authority. One or two ONSA staff will also attend for note-taking and continuity. Otherwise, I'd prefer principals-only,

but I am open to discussion if anyone feels strongly otherwise.

We will keep you posted about this.



From: Gompert, David C. (SES)

Sent: Monday, January 05, 2004 3:01 PM

To: Eaton, Paul D. MG; Gallinetti, Jon A. (O-8);

(GBR); Casteel, Steven W. (SES-06);

(GBR)

(CC: (GBR)

(CV Ministry of Governance;

(GS-13)

Subject: Advisory Consultations on National Security

This is a heads up.

I expect to reach agreement soon with Alawi, as chairman of the GC national security committee, to begin consultations on permanent Iraqi national security institutions. I have a strong feeling that we will use the weekly (Saturday) meeting of this GC committee for these consultations. We may also form a smaller group (perhaps a sub-committee) if the Alawi and I can engineer it. My current thinking about participation from our side is this:

Gen Eaton, Sir and I should attend every meeting, large or small.
 Gen Gallinetti, and are most welcome to attend any meeting they wish.
 It may be essential for Gen Gallinetti or to attend certain sessions, depending on topic.
 There may be other (e.g., Judge Rubini)

Could we agree that principals should attend unless I am consulted in advance about having deputies attend?

We'll get out the schedule as soon as we know it. Meanwhile, you might want to pencil in Saturdays.

Meetings will run about two hours.

involved now and then.

Do you Yahoo!?

Yahoo! Hotjobs: Enter the "Signing Bonus" Sweepstakes

Gomp	ert, David C. (SES)	
From:	Gompert, David C. (SES)	
Sent:	Monday, January 12, 2004 5:59 PM	
To:	Eaton, Paul; Gallinetti, Jon A. (O-8): Casteel , Steven W. (SES-06):  (GBR)  (GBR)	
Cc:	Smith, Frederick C. (SES): (AUS) CIV Policy	
Subjec	t: Advisory Consultation Next Session	
still working	firmed with Allawi that this Thursday will be the first substantive session with the full committee. He is no on the sub-committee, which will probably be formed and meet before next weeks' meeting, but not before Thursday.	
I have als GC that si decisions.	o urged both Chalabi and Hakim to attend or to send top deputy. At my urging, Pachachi has told the ecurity committee members must be involved in these talks or else send people empowered to make	
Further th	oughts on how to conduct the next session (some repeated from earlier email).	
	Il offer a very brief explanation of the concepts of national-security policy making and national commar or forces and use of force.	
• Iw	If then provide a 3-minute explanation of the US national security policy making system	
• Sir		
	If then suggest a UK-type approach, albeit with a strong national security advisor.	
	cussion with Iraqis  Gallinetti will then explain the national command authority as seen from the military end. He should	
exp	plain the link from combatant commander on up the line to the CINC. At that point, I will address the estion of the identity of the CINC, with comments from Sir from the UK perspective.	
• We sug	will then get into basic ministerial responsibilities and the need for inter-ministerial coordination. I gest that present a succinct statement of MoI responsibilities and discuss coordination, uding the NSA staff role.	

We will tell them that there will be a detailed briefing on MoD the week after next.

Any thoughts, advice, concerns?

(GS-13)
From:
Sent:
To:

Sunday January 11, 2004 4:43 PM (GS-13)

(AUS)

FW: GC National Security Committee meeting notes.

Importance:

Subject:

High

FYI

----Original Message---From:

(AUS)

Sent: Saturday, December 27, 2003 5:53 PM

To: Smith, Frederick C. (SES); Eaton, Paul;

To: Smith, Frederick C. (SES); Eaton, Paul; CIV Policy

Cc: (GS-13); (CJTF7 POLAD)

Subject: GC National Security Committee meeting notes

Importance: High

Meeting Notes GC NSC 27.12.03

Samir Sumaidy (Chair)

Opening remarks

Sumaidy: mentioned looking at Germans training Police rather than Jordanians.

Chalabi: It costs more to train one Iraqi Policeman abroad than to send an Iraqi to Business school at Harvard.

(FS-O2):

General complaints by NSC members of Police and Army training abroad and particularly in Jordan. Would like the GC to have a say in these training programs. Why the emphasis on training abroad?

NSC would like to find out from MOI if the Police training in Jordan has commenced. They feel out the loop on this issue and believe they have not been informed particularly re the MOI/police training in Jordan.

I said I would follow up on these queries – but that they should note that as an example one of the principles of IAF NCO training which is within Iraq is that coalition trainers "train the trainers" so that training would be handed over to qualified Iraqi trainers in country.

NSC resolution that a small c'tee be formed to draft report on security services training abroad – to be presented to the GC – c'tee will comprise Chalabi, Mohsen, Muhammadawai, Hakim and Talabani. The report will contain current training programs and suggested alternatives.

Terrorist and Iraqi insurgent websites – promulgating information relating to terrorist activities and inciting terrorism were identified by Dr Sumaidy. Will forward to the CPA a list of these sites.

The issue of cell phone contracts for Iraq was raised in the context that they could be easily used 'terrorist and insurgent groups to aid their activities.

Chalabi: Cell phones can be used to trigger a bomb – but also more widely used as a source of transferring information amongst terrorists. The Telecommunication Companies awarded the contracts are not Iraqi – they are likely to bring in foreign workers who could sympathize or participate in terrorist activities. As an example employees of Telco co's could pinpoint positions of VIP's and transfer this information to terrorist cells. Aslo error that there are pre paid cellphones – no subscription or awareness of background of cell phone users.

Need to ensure eavesdropping or monitoring of phones done only through Iraqi law.

Dr Hashim (Iraqi Islamic party IIP):

Cell phones can be used in this way against CPA but on the other hand they can be used to apprehend terrorists.

Sumaidy:

As a whole we do not have the security apparatus to combat abuses of cell phone and internet usage.

I responded by commenting that there are two issues to look into: the mitigating security factors in the Telco cell phone contracts with regards to eavesdropping etc and the question of vetting of Telco employees who may have terrorist or Baathist sympathies.

NSC resolution that letter to CPA, MOI and Min of Telecommunications that there be strict background checks on Telco employees – by seeking assurances from Telcos that these background checks be a condition of employment. Possibility of sanctions against Telcos if they do not effectively comply.

Sumaidy:

Issue of Personal Security for GC members – were promised radio comms and armored cars had no received this yet. Produced a leaked memo from Min of Health which sets out provision of PSD for coalition personnel using Ministry funds and asked why the GC members, key partners in building democracy in Iraq were not receiving similar considerations re their personal security.

NSC resolution re writing to MOI to request required PSD and related equipment.

Sumaidy:

Issue of stolen explosives and chemicals used to make explosives being sold openly on the market. Suggested that there is a buyback/seizure of ordnance and dual use chemicals.

I briefed the NSC on the new Senior Advisor for National Security Affairs (Mr enter the NSC on the NSC on the Way forward for the MoD. I updated the NSC on what had occurred to data re the Defence Support Agency – the creation for such an civilian entity to provide the administrative and logistic support functions to the IAF battalions as they graduated – the transparent and thoroug vetting, interviewing and selection process used and that it was the beginnings of Defence institution building and that the GC would be briefed/involved in the building of the MoD. On that note I mentioned the need for Senior leadership candidates for the MoD and mentioned the meetings we had in the past with some of the members of the NSC/GC on this issue and encouraged them to continue to be part of this process of putting forward quality candidates for the civil service and military leadership. I also brought up the issue of the 2nd battalion graduation and their recommendation for a GC member to make a speech on the day with Amb Bremer. They put forw Sheik Ghazi Yawir.

(Note after the meeting Governance informed that Amb Bremer had asked Dr Pachachi as rotating GC president to make the speech – the NSC will be informed of that arrangement)

Sumaidy:

Queried the MoD budget – noted that was nothing in GC budget for MoD in 2004. I committed to following up on this question in relation to GC involvement in Defence Budget.

#### Chalabi:

Wants GC to keep informed of any contracting for Defence equipment – need to know of purchases. Wants to be involved in development of IAF doctrine and drafting.

Several questions on issue of resignations from 1st battalion and the issue of pay and whether this was resolved.

I informed the NSC that the pay had been significantly boosted for the IAF in response to the (low) salary issue.

Sumaidy:

Asked about the C2 structure of Iraqi military and MoD and C2 of Iraqi forces after July 1.

I responded by pointing out that of course the major operating principle is of civilian oversight of the military – I described briefly the Operational Commander of the JFHQ fits in with the civilian oversight of the MoD. On the second question I pointed out that these questions (C2 of Iraqi forces and coalition relationship) as they knew would be nutted out in the negotiations for the Security Agreement.

Question re number of IAF (by SCIRI member?) – Chalabi immediately answered 36, 000. I pointed out that the plan is that the IAF have 27 battalions by September/October – that this was not a final figure but a foundation to build upon and that the growth of the IAF/its capabilities and so on will be up to the future democratically elected government of Iraq.

#### Chalabi:

Would Iraqi forces be part of the coalition?

I answered by saying these were questions for the Security Agreement but that yes certainly in som form I expect that the IAF would be a partner (or part) of the coalition. The exact details of the C2 arrangements need to be worked out and form part of the Security Agreement.

Sumaidy:

Made a final request that I find out about the arrest (by the coalition of Sheik Ghazi Al Hanash – a prominent tribal Sheik.

Director National Security Policy National Security and Defence Affairs Coalition Provisional Authority

(Commercial) (Cell) National Security Committee (NSC)
10.01.04 Meeting Summary
Attendees:
CPA/CJTF-7 - Mr David Gompert, Amb Richmond MG Gallinetti, BG
Aylwin-Foster, Col

Minister of Interior Nouri Badran, IGC members including Dr Iyad Alawi, Samir al Sumaidy, Deputies for: SCIRI, INC, Sheik Ghazi, Abu Hatem, Da'wa Party, Communist party, Songul Chapook

Introductions - members of the CPA/CJTF-7 consultation team introduced themselves.

Dr Iyad Alawi (chair NSC) discussed the importance of strategic issues and permanent institution building up to the national elections and requested Mr David Gompert to outline the work plan. Samir al Sumaidy welcomed the return of Dr Alawi and pointed out the urgent need for the (technical) subcommittee chaired by MOI Nouri Badran to deal with important operational security details.

Mr Gompert described the reasoning behind the work plan and was sure that the NSC was eager to discuss the role and missions of armed forces and the different security ministries. He proposed to begin (in the next NSC meeting) with a discussion of the toplevel national security policy making, top-level command of AF and the authorities for use of force. Mr Gompert pointed out that if we don't get the national Security policy making system and the National Command authority right, attempting to understand the roles of the armed services will be difficult. In that context we would give you aour advise on the structures and the MOD. Mr Gompert pointed out that our intent is to work with you to build the MOD over the next few months and that they would be briefed on the organizational structure and respective roles of civilian and military personnel in the MOD and JHO. He added that he was in touch with individual members of the NSC to provide suitable candidates for positions within the MOD. Mr Gompert added that we need to look at mundane matters such as resource allocation and any other topics the NSC would wish to discuss in relation to the work plan. Mr Gompert with the permission of the Chair opened the floor to questions so that we could come to an agreed work plan and start on the meat of the program the following week.

Dr Alawi emphasized the NSC was responsible for the entire national security policy plan for Iraq and the work plan was an opening to begin the policy – not a canceling out of previous discussions. We can discuss details once you have had a chance to study.

Members of the NSC made several comments that this was a well prepared work plan, however it was important that the relationship between the CPA/institutions/IGC was discussed. The work plan needs elaboration on this point. Moreover the military and institutions had been established without consultation with the NSC (Iraqis being last to know) and that this work plan should have been presented some time back. Iraqi must participate in the planning and formation of their own forces. This does not however obviate our need for the military expertise western powers. We appreciate the coalition

role in ridding Iraq of the regime but we need to be involved now because we have responsibility. A comment was made in regards to the mixing of military forces and internal security forces in the work plan and this will effect the discussion — would it not be more practical to separate these issues. \_\_\_\_\_\_\_added that he would suggest adding coordination between various ministries generally and add accountability and the IG as specific topics.

Mr Gompert commented that inter-ministerial coordination and accountability are extremely important. Power and authority will not be concentrated in any single service or ministry there will be a distribution as in any democratic state. We will be giving advise on coordination. With regards to the mixing of external and internal security forces – the Iraqi situation is different in the sense that the internal security situation is such that you cannot exclude calling on the IAF to help protect the society and the state in times of emergency, so rather than separate these two as if no connection exists it is important to be precise about how the IAF and the IPS will interact.

Mr Gompert wants to ensure that actions taken are understood by the NSC and are taken on the basis of appropriate consultation with the NSC and that this can lead into the shape of the architecture for the permanent institutions you want for Iraq. The best intellectual discipline is talk about the long term institutions and work back and give our support and advice on how to get there.

Mr commented that were are concerned with separation and balance, the key is to have coordination as we do not have enough resources to permit duplication.

Dr Alawi closed by saying in future the NSC discussions would be at the high strategic level and that important the attendees are members of the IGC or their deputies who are authorized. We have 6 months to sovereignty, we may have to form other committees to dicuss various matters all under the IGC.

## Advisory Consultations between the Security Committee of Iraq's Governing Council and CPA/CJTF7 Team

January 10, 2004

Main Topic: Purpose and Work Program of Advisory Consultations
Key Points:

- On behalf of the CPA/CJTF team, David Gompert outlined the purposes and proposed program of the advisory consultative process on permanent national security institutions.
- The Chairman stressed the paramount importance of the issues to be addressed, the value of the proposed process, and the need for attendance by members or representatives able to speak with authority.
- The team agreed to take account of several Iraqi suggestions regarding issues to be considered in the course of the consultations.
- The Chairman explained that immediate concerns should be addressed separately from the advisory consultative process for the sake of maintaining focus on the design of Iraq's permanent security institutions.
- The work program was agreed.

## Strategic Advisory Consultation on Iraqi National Security Structures

## Work Plan

1. National Security Oversig	ht	Oversig	Security	National	1.
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Thursday, Jan 15, 04

- Command and Control of Armed Forces
- Policy- and Decision-making System
- Ministry Responsibilities
- Inter-ministerial Coordination
- · Key Principles and Laws
- Issues and Practical Steps

## 2. Armed Forces for Internal and External Security

Thursday, Jan 22, 04

- National Defense
- Internal Security Emergencies
- · Law Enforcement
- Capabilities
- · Roles, Missions, and Reporting
- · Key Principles and Laws
- Issues and Practical Steps

### 3. Ministry of Defense

Thursday, Jan 29, 04

- Functions: Civilian and Military
- · Organizational Structure
- · Policy-making.
- · Forces and infrastructure,
- Key Principles, Laws, and Regulations
- Issues and Practical Steps

#### 4. People

Thursday, 5 Feb 04

Key Leadership Positions: Roles and Qualifications

Two Sessions

- · Key Officials
- Exchange of Ideas on Individuals
- · Process of Recruitment, Training, Placement
- · "Good Governance" Principles, Laws, Regulations

#### Strategic Advisory Consultations Work Plan Page 2

Issues and Practical Steps

#### 5. Setting and Meeting Requirements

Thursday, 12 Feb 04

- Determining Needs
- · Costs: Fixed, Operating, Investment
- Affordability
- Responsibilities
- · Key Principles, Laws, Regulations
- Issues and Practical Steps

#### 6. Further topics:

- In depth MoD design.
- National security Information Architecture
- Regional security Relationships
- Staffing
- Post 7/1 Advisory Support
- As needed

## Strategic Advisory Consultation on Iraqi National Security Structures

## Work Plan

		-	
1. N	ational	Security	Oversight

Week of January 10

- · Command and Control of Armed Forces
- · Policy- and Decision-making System
- · Ministry Responsibilities
- Inter-ministerial Coordination
- · Key Principles and Laws
- Issues and Practical Steps

#### 2. Armed Forces for Internal and External Security

Week of January 17

Week of January 24

- National Defense
- Internal Security Emergencies
- · Law Enforcement
- Capabilities
- · Roles, Missions, and Reporting
- · Key Principles and Laws
- Issues and Practical Steps

#### 3. Ministry of Defense

- Functions: Civilian and Military
- · Organizational Structure
- · Policy-making.
- Forces and infrastructure.
- · Key Principles, Laws, and Regulations
- Issues and Practical Steps

#### 4. People

Week of Jan 31 - Feb 5, 2004

Key Leadership Positions: Roles and Qualifications

Two Sessions

- Key Officials
- · Exchange of Ideas on Individuals
- · Process of Recruitment, Training, Placement
- · "Good Governance" Principles, Laws, Regulations

#### Strategic Advisory Consultations Work Plan Page 2

Issues and Practical Steps

#### 5. Setting and Meeting Requirements

Week of February 7

- Determining Needs
- · Costs: Fixed, Operating, Investment
- Affordability
- Responsibilities
- · Key Principles, Laws, Regulations
- Issues and Practical Steps

#### 6. Further topies:

- In depth MoD design.
- · National security Information Architecture
- Regional security Relationships
- Staffing
- Post 7/1 Advisory Support
- As needed



## COALITION PROVISIONAL AUTHORITY BAGHDAD

#### INFO MEMO

January 5, 2004

FOR:

THE ADMINISTRATOR

FROM:

David C. Gompert, Senior Advisor for National Security & Defense

SUBJECT:

Discussion with Iyad Alawi

CPA is ready to begin high-level national security consultations, and we cannot wait any longer for them to start. We should press for agreement with Alawi on how to proceed.

The National Security Committee of the GC has become an active body, whether or not Alawi is in the chair. It is clear to me that this committee of 13 must serve as the "large group" to which Alawi has referred. We should tell Alawi that he and I should present our plan for the advisory consultations (attached) at the regularly scheduled meeting this Saturday.

Alawi also wants a "small group," as you know. I have concluded that the best, perhaps only, way of doing this is with the knowledge and consent of the GC National Security Committee. Anything else could backfire. With Alawi's agreement, I should be the one to appeal to the full committee to form a small sub-committee, based on the practical need to have a few counterparts with whom we can interact frequently, at short notice, and on details. The sub-committee would answer to the committee, with whom my team would meet weekly.

As a proper sub-committee and with the intent of meeting with full committee weekly, membership in the small group might be less of a problem.

I can cover all this during our meeting with Alawi; but I wanted you to be aware of the approach. We also need to tell Alawi that this consultative mechanism will not be used to address post-7/11 security arrangements. It should be strictly to help them create permanent security institutions.

Apart from this, I have a few other matters to take up with Alawi that do not require your presence. He and I can retire to my office. Please let me know whether you want a word with him in private before I join you.

ATTACHMENT:	Strategic Advisory Consultation on Iraqi National Securit	y Structures
-------------	-----------------------------------------------------------	--------------

COORDINATION: DCG

Previously – we had been dealing with security issues in the Joint Security Committee and passing off taskers and "minor" issues to a sub committee. The Joint Security committee had involved high level Coalition reps (like LTG Sanchez and Ambassador Bremer) and members of the Governing Council or their designated reps.

Now, in order that the full Council not deal with every issue and task, the GC has set up a committee structure so that issues can be delegated down, leaving the full Council to take up more strategic matters.

Some of the committees include- media committee, legal committee, etc. In every committee, there is a CPA person attached to it that serves as a liaison and area expert. There is also a Security Committee in that structure. This is the latest forum where we take up Security matters with the Governing Council. The Joint Security Committee has effectively merged into that body.

is our CPA representative and LTC also continues as a CJTF7 liaison.

The GC members of that committee are essentially the same as the ones who were part of the Joint Security committee. Other Coalition representation depends upon the issues on the agenda. For example, we had Gen Eaton brief on the NIA last week and this week we will have brief on MOI training this Saturday. The security committee meets every Saturday at 12:00. After the meeting, we will type up notes and pass them around as widely as possible to interested parties in CJTF7/CPA.

The committee structure is imperfect and we continue to work with them to make it more efficient and effective. We still have some basic outstanding issues- a complete list of who is on the committee, a proper Governing Council flaison from the GC Secretariat, etc.

For tomorrow's meeting- we have put forward the following agenda items

- selection of 36th ICDC battalion leadership (CJTF7 to decide on proper representation)
- MOI brief on police training. (Casteel)

The GC may also have additional items on the agenda- but we won't know what they are until tomorrow. (another one of the kinks we have to work out)

More information when we have it.

Best

From:	(GBR)				
Sent: Friday, .	lanuary 02, 2004	11:40 AM			
To:	CIV Policy			N-77-	
Cc:	(0-6);		(CJTF7 PC	DLAD);	
(CIV);			-5)		
Subject: IGC	SECURITY COM	MITTEE MEET	ING: SAT 3 JA	N 04	

Re our discussion, the attendance will be BG Fast (C2) and BG Sargeant (C5) + LTC and Col (R)

Anticipate that we will stay for the ICDC BD CDR/XO agenda item only and grateful if you could send that agenda and confirm the start time.

If you send it to the cc addressee above, everyone who needs it will get it and I will ensure that it gets to BG Fast and her staff

Lt Col	
C5 Strategy	
DSN:	
DNVT:	
Mobile:	



COALITION PROVISIONAL AUTHORITY,

BAGHDAD

) vie 7 575 December 2003

FOR:

THE ADMINISTRATOR

FROM:

Mr. David Gompert, Senior Advisor for National Security & Defense

SUBJECT:

CPA-Iraqi Consultations on Permanent National Security Structure

This is to apprise you of the plans I intend to review with Iyad Alawi in the next few days. The main goal of these "advisory consultations" is to build Iraqi awareness, competence, consensus, and confidence as we approach three watersheds:

April 1: Establishment of an MoD under an interim minister

June: Appointment of a government by the Transitional National Assembly

July 1: Dissolution of CPA

In the course of these consultations we will be presenting the Iraqis with issues in need of resolution (e.g., structure, people, roles and missions of forces), some of which will not be easy. However, it is in our interest that they confront these issues prior to creation of an MoD and dissolution of CPA, permitting us to make a strong imprint and them to get off to a good start. In other words, these consultations will be more than tutorials and seminars.

In this light, Alawi has suggested that there be two tracks: a large group (perhaps the National Security Committee and/or Joint Security Committee of the GC) and a small one to address and resolve issues. This is fine, provided we can shape membership in the small group. Alawi and I have agreed that it is not necessary to make the small group a formal entity. On the CPA side, I envision a core team that will attend every session: Gompert, Eaton, and Depending on agenda, and others will join.

I will seek Alawi's concurrence to meet with the small group twice a week and the large one every two weeks. I hope to start in mid-January. While we will have to be flexible, I currently envision the following topics, roughly in this sequence:

- · National security oversight
- · Armed forces for external and internal security
- · Ministry of Defense
- · People
- · Setting and meeting requirements

UNCLASSIFIED

The sequence is designed to produce results when we need them: e.g., legal framework before the Administrative Law is finalized, and personnel before the MoD is created. Backstopping for the consultations will be done by the Security Institutions Steering Committee you have just authorized me to set up, the make-up of which largely matches the consultative team. This will ensure that advice offered to the Iraqis in these consultations will be coordinated across CPA and that positions taken in other channels are consistent.

The consultative process will be integrated with our plans to find, screen, recruit, train, and assess future officials for MoD and other key national-security positions. As future officials emerge, they will give the Iraqi leaders a growing base of professional support, and they will give CPA working-level counterparts to flesh out ideas discussed in general with the leaders.

This process is aggressively front-end-loaded for two reasons: meeting the April 1 date for MoD creation, and making the most of our moment of maximum influence. At the same time, there are risks: the ability of Dr. Alawi to choreograph the Iraqi side; the willingness of Iraqis to make decisions; and our ability to find new Iraqi officials.

We will keep you and the rest of the leadership team well-informed, despite the pace.

ATTACHMENT: Draft Work Plan

CC: MG Eaton, Mr. Mr. Amb Jones, LTG(R) Kellogg, Judge Rubini, Mr. Mr.

# Advisory Consultation on Iraqi National Security Structures: Phase I <u>Draft Work Plan</u>

1.	National Security Oversight	Week of January 17, 2004
	<ul> <li>Command and Control of Armed Forces</li> </ul>	Two Sessions
	<ul> <li>Policy- and Decision-making System</li> </ul>	
	<ul> <li>Ministry Responsibilities</li> </ul>	
	Inter-ministerial Coordination	
	Key Principles and Laws	
	<ul> <li>Issues and Practical Steps</li> </ul>	
2.	Armed Forces for Internal and External Security	Week of January 24, 2004
	National Defense	Two Sessions
	<ul> <li>Internal Security Emergencies</li> </ul>	
	Law Enforcement	
	<ul> <li>Roles, Missions, and Reporting</li> </ul>	
	Key Principles and Laws	
	<ul> <li>Issues and Practical Steps</li> </ul>	
3.	Ministry of Defense	11/1 - 5 1 21 2004
	<ul> <li>Functions: Civilian and Military</li> </ul>	Week of January 31, 2004 Two Sessions
	Organizational Structure	I wo acssions
	<ul> <li>Management of Resources and Procurement</li> </ul>	
	<ul> <li>Key Principles, Laws, and Regulations</li> </ul>	
	<ul> <li>Issues and Practical Steps</li> </ul>	
4.	People	Week of February 7, 2004
	<ul> <li>Key Leadership Positions: Roles and Qualifications</li> </ul>	Two Sessions
	Key Officials	
	<ul> <li>Exchange of Ideas on Individuals</li> </ul>	
	<ul> <li>Process of Recruitment, Training, Placement</li> </ul>	
	<ul> <li>"Good Governance" Principles, Laws, Regulations</li> </ul>	
	<ul> <li>Issues and Practical Steps</li> </ul>	
5.	Setting and Meeting Requirements	Week of February 14, 2004
	Determining Needs	Two Sessions
	<ul> <li>Costs: Fixed, Operating, Investment</li> </ul>	
	<ul> <li>Affordability</li> </ul>	
	<ul> <li>Responsibilities</li> </ul>	

Key Principles, Laws, Regulations

Issues and Practical Steps

#### National Security Decision Structure

- · More difficult challenge in Iraq than most countries because:
  - o the old national security system could not be rehabilitated
  - there are both external and internal threats to the state, as opposed to external only
  - o the roles of and connections between different security services must be clear, and public suspicions about these services must be laid to rest
- Combination of distributed policy-making and singular command authority over armed forces and use of force – similar to US, UK and most other democracies
- · Policy-making
  - o Distributed: cabinet, dispersion of power, coalition government, collegial
  - Head of government is the key decision-maker; individual ministers have day to day management control; and a group of ministers, chaired by head of government, forms national policies. US—NSC. UK—cabinet committee. (Role of chief of state needs to be clarified)
  - Core should be MoD, MoI, MFA, MoJ, plus CHODS and head of national intelligence service as advisors. Other ministries as necessary.
  - Need an effective and respected national security advisor to provide support to the cabinet committee and ensure inter-ministerial coordination.
     Should have a staff to provide official-level inter-ministerial coordination.
- National Command Authority
  - Can be no ambiguity about CINC. If head of government and chief of state not the same, must be decided.
    - If chief of state is titular, the head of government should be CINC
    - If the chief of state has political weight, could be CINC. However, this raises the issue of the role of the head of government in the chain of command.
    - A three-headed presidency (current Iraqi thinking) could be problematic as CINC: indecision, delay, lack of command responsiveness during hostilities, or splitting the nation at a moment of crisis.
    - The viable options are (a) one-headed chief of state of political weight as CINC, with the PM out of the line, and (b) PM as CINC
  - o Two NCA branches:
    - . CINC to Mol to chief(s) of internal security forces
    - CINC to MoD to commanding officer IAF (not CHODS)
- Civilian control exercised in several ways:
  - o NCA + decisions on use of force
  - o Requirements-setting and resource allocation
  - o Personnel policy
  - o International security policy
  - o Civilian officials in MoD and MoI are key
- Domestic use of IAF (may or may not get into this at upcoming meeting):
  - Capable Mol forces will minimize need to call on IAF
  - o Cannot exclude IAF e.g., mechanized forces or air support

- o CINC must decide
- Driven by requirement assign capabilities from MoD to MoI thus to internal branch of NCA, under tightly drawn conditions, aims, rules and time limits.

#### Issues:

- · Who should be the CINC?
- Who should be in the cabinet NS committee?
- · Should there be a senior national security advisor?

#### Strategy for Providing Security in a Sovereign Iraq

#### The Problem:

As of July 1, 2004, Iraq will be sovereign but not secure. Neither Iraqi armed forces nor the new Iraqi state will be fully capable of handling the dangers they face: insurgents from the old regime, infiltrators, fanatical indigenous movements, separatist impulses, armed militias, and possibly foreign interference (e.g., from Iran or Turkey). The need for large-scale US military power within Iraq will persist until these dangers abate and/or the rebuilt state and rebuilt forces of Iraq match the need. To be effective, US forces remaining in sovereign Iraq will need to be able to operate in ways that could be seen as compromising and offending Iraqi sovereignty, especially: (1) unrestricted movement; (2) command of Iraqi forces; and (3) the detention of persons that threaten US forces and their mission. Yet, as CPA succeeds in creating a viable state and capable, civilian-controlled forces in the coming months, Iraqi politicians and public may overestimate their ability to manage security – wanting US forces to stay but on unacceptably restrictive terms. A way is needed to reconcile the effectiveness and relative safety of US forces with the reality and appearance of Iraqi sovereignty after July 1.

#### The Approach:

This conflict between military freedom and effectiveness on the one hand and Iraqi sovereignty and pride on the other can be mitigated by forming a new coalition – or partnership – of which Iraq itself is a charter member. Sovereign states have an inherent right to cooperate in self-defense. Recognizing the need to do so in the face of continuing dangers, the new Iraq will be no less sovereign for turning to others with the ability and willingness to help it, starting with the United States. Once this principle is agreed, it follows that Iraq, the United States and other partners will need to assign forces to an integrated structure that is able to act against enemies of the new democratic state. Instead of being asked to extend rights to a foreign power and presence, Iraq would be making possible the effective operation of a parmership to which it would belong. In essence, we and Iraq would not be "we and they" but instead a single "we".

More specifically, this approach would call for creation of an *Iraq Multinational Security Partnership* (IMSP) made up of Iraq, the United States, the UK, and any other state willing and able, in the eyes of existing members, to contribute to Iraq's security until it can do so on its own. The partners would set up a mechanism to provide "soft" support – in particular the security assistance, advice, and diplomatic coordination that will be needed after CPA is dissolved. Those partners willing to do so would also assign forces, intelligence, and resources to an *Iraq Multinational Security Force* (IMSF). Current security conditions suggest that following arrangements are needed for such force:

- Partners contributing forces should agree on aims, adversaries, and strategies of the IMSF and would maintain close consultations on changing conditions.
- As the partner with the strongest military capabilities assigned, the United States would provide command.
- In addition to being a major force provider, Iraq would provide support, access and other cooperation needed for the IMSF to be effective.
- Given the dangers facing Iraq, and the IMSF itself, unity of command is essential, and all assigned forces - Iraqi, US, and others - must be integrated.
- Within the agreed aims and strategies, the lraqi, US and other forces of the IMSF must be able to operate freely against opposing forces.

 Iraq and its partners will detain persons that resist or threaten the IMSF. One of Iraq's special responsibilities will be to provide detention and processing.

Iraqi officers would be present at HQs and participate in operational planning. They
would of course command Iraq units and might provide a deputy to the IMSF
commander. They would share and receive intelligence.

Just as the United States and others would not assign all national forces to IMSF, Iraq would assign only those critical for success. Presumably, this would include the Iraq Army, the ICDC, and high-end internal security forces but not police oriented to fighting crime. Of course, the IMSF would need to coordinate operationally with any Iraqi security services not assigned.

Thus, instead of demanding rights of Iraq and carrying on what might look like continued occupation of a defeated country, the United States would join Iraq in a partnership aimed at assuring security. Looking ahead, the IMSP and IMSF could evolve into a long-term security relationship among Iraq, the United States and other partners – e.g., to give Iraq enough protection to deter Iran and to dissuade Iraq from over-building its army and flirting anew with WMD. The IMSP and IMSF could be time-limited (e.g., 10 years) with a clause permitting withdrawal of any partner with one year's notice. An opt-out clause could reduce the danger of a post-7/1 Iraqi government reopening the agreement.

#### Timing, Modalities, and Risk

The case for seeking these understandings with Iraqi leaders soon is strong:

 Our leverage could decline as 7/1 nears - e.g., once an Iraqi defense ministry is created (April) and Iraqi Armed Forces (IAF) are built up.

Political uncertainty will grow as the transitional assembly displaces the GC.

 It is best to know early on whether satisfactory post-7/1 conditions for US military presence can be agreed.

The first step would be for Iraq and the United States to agree on the framework, broadly but clearly stated; this should be done by, say, March 1. Next would be to get others to accede that framework. If we keep them closely informed, the British would be the first to do so and create the model. Only then would each of the members need to negotiate enabling detailed agreements with Iraq to specify the status and needs of their forces.

Of course, whatever is agreed now is inherently at risk when Iraq becomes sovereign. Legally, pre-sovereignty Iraq leaders cannot irrevocably commit their successors. But we can make it harder to undo later whatever agreement on the IMSP/IMSF is reached with the GC by having it (1) endorsed by the UN Security Council and (2) reaffirmed by the interim government appointed by the transitional assembly. With Iraq as a willing and leading partner – perhaps co-sponsor of the resolution — any opposition in the UNSC would have little logic or effect.

While the approach suggested here would put in the best possible light the need to be able to operate our forces with freedom and with control of Iraq armed forces, political actors in a sovereign Iraqi state may press to reopen the partnership agreement. However, faced with a carefully-crafted, internationally-legitimized agreement to permit US forces to remain and security threats to be met -- and being able to point to the opt-out clause -- the fledgling state, with all its other challenges, may choose to honor the framework.

	(GS-13	1)			
From:	Smith, Frederick C. (	(SES)			
Sent:	Wednesday, Decem	ber 03, 2003 11:31 Al	M		
To:	CIV	Ministry of Governar	ice (Man)	CIV	
c:	(GS	S-13); (6)(6)	GS-15 MCO		
Subject	: RE: Snowflake Resp	onse Status			
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ederick	C. Smith				
fice of	National Security A	ffairs			
	(Baghdad)				
	(DOMESTIC)				
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	Original Message				
Fr	om: Ibite	CIV Ministry of Gover			
Se	ent: Wednesday, Dece		AM		
To	: Smith, Frederick C. (	CIV	(GS-13); (Frite)	GS	15 MCO
Si	ibject: RE: Snowflake	Response Status	(03-13)//	0.5	13 1100
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	ease see my edits , I'd run it by Dr.	Need to check though	n on the frequency of the	e meetings. A	iso, since I don't
	, Tu for a Dy Dr.				
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	al: (h)(h)				
C	ell:				
**	-				
	Original Mes	sage			
	From: ®x6	CIV			
	Sent: Wednesd	ay, December 03, 200			
	To: 6x61	CIV Ministry of (	Sovernance		CC 15 MCC
	Cc: Smith, Frede	erick C. (SES); nowflake Response St	(GS-13);		GS-15 MCO
	Subject: KE: Si	iowilake veshouse of	otus		
	How's this sound	d for a response -			

The Governing Council has organized itself in a number of standing and functional committees. Of these, the Security Committee has been among the most active. In these meetings, held bimonthly with the CPA and CJTF-7 the proposal to reconstitute units of the Iraqi Army has never been raised formally either by us or by them. It has, however, been discussed as one point of many in general discussion and has not been given serious consideration. The Security Committee members on the whole seem persuaded that the physical difficulties (facilities and equipment destroyed and stolen by looters) have made the concept impractical.

The last sentence may be 'reaching' - I defer to your judgment of how to read the SC's body

language.

----Original Message---From: CIV Ministry of Governance
Sent: Wednesday, December 03, 2003 10:31 AM
To: GS-15 MCO
Cc: Smith, Frederick C. (SES); (GS-13)
Subject: RE: Snowflake Response Status

It's never been raised directly with the full GC. Within the Security Committee it has come up but Walt's arguments that there are no units to bring back has proved persuasive, Allawi's oped notwithstanding. And you're right. He's never mentioned it again and it has not been part of his political discourse within Iraq. Curiuoser and curiouser... My sense is that the GC would support the SC's views on this subject.

\*\*\*\*\*\*\*\*\*\*\*\*\*\* Director of the Governance Group Coalition Provisional Authority Baghdad, Iraq Tel: Cell: + ----Original Message----CIV From: Sent: Wednesday, December 03, 2003 9:54 AM GS-15 MCO; NOW CIV Ministry of To: Governance (GS-13) Cc: Smith, Frederick C. (SES); Subject: FW: Snowflake Response Status Importance: High

This is a Rumsfeld query – came to us as a "copy sent to" with no tasker – quess I should have known better. It says,

"Carl Levin keeps asking if you have asked the IGC what their thoughts would be if the CPA decided to reconstitute units of the Iraqi army, using people, some below rank such as lieutenant, with mostly enlisted personnel. I told him we wer already hiring back former Army individuals as policeman, border patrol, etc. He said now, he's talking about actually bringing them back in units."

I am not aware of any formal discussion with IGC members on this subject. Has there been? What did they say?

It has come up very informally in a couple of conversations when IGC members asked me what I did at CPA at reception, iftaar – I found them to be 'uncertain' probably of mixed view – for sure, nobody gave me a pitch one way or the other. Then there was Alawi's oped – which he never mentioned when we spoke to him the other night even though I talked him through the whole ICDC-NIA expansion plans.



----Original Message----From: (E-6)

Sent: Wednesday, December 03, 2003 9:21 AM

To:(by6) CIV

Cc: Executive Secretary

Subject: Snowflake Response Status

Mr. (6)(6)

Could you please let us know what the status is of the response to the SECDEF snowflake (subject is IGC). Response to SECDEF is requested by 6 Dec 03.

Thank you,

YN1, USN

Admin Assistant
Office of the Executive Secretariat
Coalition Provisional Authority

Copy Dent to 031129

TO:

Jerry Bremer

CC:

Paul Wolfowitz

FROM:

Donald Rumsfeld M

DATE

November 24, 7003

SUBJECT: IGC

Carl Levia keeps asking if you have asked the IGC what their thoughts would be if the CPA decided to reconstitute units of the Iraqi army, using people, some below rank such as lieutenant, with mostly enlisted personnel. I told him we were already hiring back former Army individuals as policeman, border patrol, etc. He said no, he's talking about actually bringing them back in units.

He needs an answer. Please let me know.

Thanks.

DHRVam 112403.13

Please respond by:

	(	GS-13)			
From:	Smith, Frede				
Sent:	Wednesday.	December 03, 2003 11:3			
To:		CIV Ministry of Gove	rnance;	CIV	
Cc:	(D) (M A)	(GS-13);[bx6]	GS-15 MCO		
Subject	: RE: Snowflak	e Response Status			
J like	changes				
Frederick	C. Smith				
Office of	National Secu	arity Affairs			
h K (r)	(Baghdad)				
(6)	(70)				
	(DSN)				
ie-u	Original Mess	age			
Fre	om: (byto	CIV Ministry of Go	overnance		
Se	ent: Wednesda	y, December 03, 2003 11			
To	(bye)	CIV	(pke)		
Cc	: Smith, Frede	rick C. (SES); (6x6)	(GS-13);[		GS-15 MCO
Su	ibject: RE: Sn	owflake Response Status			
	ease see my e , I'd run it by D	dits Need to check the	ough on the frequency of	the meetings	. Also, since I don't ofter
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	Origi	nal Message			
	From:	CIV			
	Sent: W	ednesday, December 03,	2003 11:10 AM		
	To:(hyte)	CIV Ministry	of Covernance	NW61	
	Cc: Smit	h, Frederick C. (SES); PASSE	(GS-13);		GS-15 MCO
	Subject	: RE: Snowflake Respons	e Status		
	How's th	is sound for a response -	-		

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----Original Message---From: Original Message---
From: Original Message---
CIV

Sent: Wednesday, December 03, 2003 9:54 AM

To: Governance
Governance
Cc: Smith, Frederick C. (SES): Governance
Cc: Smith, Frederick C. (SES): Governance
Subject: FW: Snowflake Response Status

Importance: High

(БИб)

Baghdad, Iraq

Tel: Cell:

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From: (E-6)

Sent: Wednesday, December 03, 2003 9:21 AM

To: (Page) CIV

Cc: Executive Secretary

Subject: Snowflake Response Status

Mr. Coxes

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Thank you,

YN1, USN

Admin Assistant Office of the Executive Secretariat

**Coalition Provisional Authority** 



#### FOR OFFICIAL USE ONLY

THE SECRETARY OF DEFENSE 1000 DEFENSE PENTAGON WASHINGTON, DC 20301-1000

MAR 16 2004

MEMORANDUM FOR: AMBASSADOR JERRY BREMER

SUBJECT:

Iraqi National Security Structure and Team

I support the CPA plan for the roll-out of the new Ministry of Defense and Iraqi National Intelligence Service, including CPA's recommended selections for the top three positions in the Ministry.

Ali Allawi appears to be the best choice for the position of Minister of Defense. Another important decision will be choosing his replacement at the Ministry of Trade, to insure that food importation and distribution continues to work well.

The National Security Committee (NSC) looks like a good way to teach security decision-making in a democracy. Both the National Security Advisor and the U.S. advisor to the NSC are key appointments.

cf: General John Abizaid

2 h / pr





## COALITION PROVISIONAL AUTHORITY BAGHDAD

		ACTI	ON MEMO	
				March 15, 2004
FOR:	THE ADM	INISTRATOR		
FROM:	David Golf	ipert, Senior Advisor f	or National Security an	d Defense
SUBJECT:	Iraqi Natio	nal Intelligence Servic	e (INIS)	
			per your comments. So rnance, Justice and the	ome additional amendments have OGC.
The Charter streemmunicated		-	nin individuals. (Your o	decision on this has been
			and March 8, I will use ommittee to present the	the attached Charter as the basis INIS.
by 1 April. The but prior to sul the IGC adopt	te Order will binission of the the Charter b	be signed after consult he Charter to the IGC.	ations on the Charter w Our aim is to issue the ce the establishment of	Charter establishing the INIS ith the IGC Security Committee, Order around March 23, have the INIS on April 2, along with
		ng the interim Director tatute establishing the	General should be sign NIS.	ned once the IGC has
The identity of team on April		Director General will b	e announced with the r	est of Iraq's national security
			e draft INIS charter, as will be brought to you	amended, and authorize final rattention.)
Approve:	12/15	Disapprove:	Approve with m	odification:
RECOMMENT the IGC to add			ne plan to consult with	lraqis and delegate authority to
Approve:_	W3/15	Disapprove:	Approve with m	odification:
ATTACHMEN	NTS: TAB A	(INIS Charter); TAB	B (Draft CPA Order)	
COORDINAT Governance	ION: Mol - o	– ok; MoJ (6)(6)	-ok; OGC	-ok;
CC: OGA				

UNCLASSIFIED

## The New Hork Times

January 31, 2004

## New Iraq Agency to Hunt Rebels

By EDWARD WONG

AGHDAD, Iraq, Jan. 30 — The Iraqi authorities, with the help of American intelligence agencies, are creating an intelligence service here that will focus on rooting out guerrilla fighters, especially those from outside the country, Iraqi and American officials said Friday. The service will employ some former agents of Saddam Hussein's security apparatus and will probably receive financing from the American government, the officials said.

Many of the agents will work in the border towns of Iraq to identify foreign fighters who have slipped into the country and will monitor their activities, said Ibrahim al-Janabi, a senior member of the Iraqi Governing Council's security committee. The service will employ 500 to 2,000 people, he said, and is expected to be formed well before the Bush administration transfers sovereignty to an Iraqi government on June 30.

The Central Intelligence Agency is taking the lead in helping put together the new service, American officials said. The C.I.A. has close ties to the Iraqi National Accord, an opposition group founded by former Baath Party members who worked from London and Jordan to try to overthrow Mr. Hussein's government.

The head of the group, Iyad Alawi, heads the Governing Council's security committee and met in December with the director of central intelligence, George J. Tenet, at C.I.A. headquarters in Langley, Va., to discuss the new intelligence service, officials said. Mr. Janabi, also a senior official in the group, is a leading candidate to head the new service.

The formation of an intelligence service is a very delicate matter here because of the deadly history of Mr. Hussein's secret police force, the Mukhabarat, the main instrument of domestic repression. The agency dissolved after the ouster of Mr. Hussein in April, and many senior officials fled to neighboring countries.

"Under the Saddam regime, the entire structure of Iraq was built on security," Mr. Janabi said as he sat in his office in a building once used to train Baath Party officials. "The mentality of the people revolved around this security."

The new service's projected focus on foreign fighters could help allay public fears of a return to those days.

Mr. Janabi said fewer than 5 percent of the workers in the new agency would be recruited from the ranks of the Mukhabarat and other security forces that operated under Mr. Hussein. They will be vetted to weed out those guilty of human rights crimes, he added. He insisted that their connections, knowledge and experience could prove invaluable.

The creation of the new service comes at a time when American and Iraqi officials are trying to determine the significance of the role played by foreign fighters in the insurgency. Their numbers might not be large, but some officials say the most devastating attacks — the suicide car bombings — appear to be the work of such fighters.

Some Iraqi officials, including Ahmad Chalabi, a Governing Council member with strong backing from the Pentagon, say they oppose the new effort out of fear that it may empower dangerous members of the old security forces.

Mr. Chalabi's party, the Iraqi National Congress, has long competed bitterly with the Iraqi National Accord for backing from the American government, which helps explain the clash between the two over the new service.

Another point of contention is that the Iraqi National Congress condemns the participation of former high-ranking Baath Party members in any aspect of public life, and especially in the new security forces. Mr. Chalabi is heading a committee on the Governing Council in charge of purging senior Baathists from the government, and recently unveiled a new set of laws intended to do that.

Organizers of the new intelligence service "are recruiting former Mukhabarat officers in other countries, people who went into exile after the war and who are now coming back," said Entifadh K. Qanbar, a spokesman for Mr. Chalabi who sits in on meetings of the Governing Council's security committee. "We should vet them before they're recruited."

Mr. Qanbar said American agents had recruited several such people in Jordan. Though he insisted that some recruits had taken part in the "oppression of the Iraqi people," he said he could not provide evidence to back that assertion.

He added that the creation of the new intelligence service was being conducted in secret and that it might be viewed as illegitimate under the new sovereign government established after June 30.

As planned now, the service will fall under the Ministry of the Interior, which supervises many of the new security forces in Iraq, including the police and the border patrol. Nouri Badran, head of the ministry and an official in the Iraqi National Accord, sharply criticized the Baathist purges at a news conference this week. He said the "so-called de-Baathification laws" put into effect in May by L. Paul Bremer III, the head of the Coalition Provisional Authority, had wrecked the country's security forces.

"We lost a lot of people with long experience, with all kinds of experience," Mr. Badran said. "We had to let them go."

Securing the borders is crucial because "now there are indications of foreign intelligence activity and attempts to infiltrate Iraqi institutions," he added. "We need intelligence agencies to get information on the terrorists that are coming into the country."

There are varying estimates of the number of foreign fighters in Iraq. Mr. Janabi, the senior official at the Iraqi National Accord, said he believed that there were up to 5,000 such fighters in the country, with less than a fifth of those carrying out the operations and the rest involved in financing, recruiting and other logistical activities. Many were coming across the Syrian and Saudi borders, he said, and some from Iran.

Brig. Gen. Mark Kimmitt, a spokesman for the occupation forces, estimated that there were a total of

3,000 to 5,000 guerrilla fighters in Iraq, with 5 to 10 percent of those coming from outside the country.

Many of the new intelligence agents will be trained outside Iraq, primarily in Jordan and Egypt, Mr. Janabi said, adding that the Federal Bureau of Investigation may help with the training.

Mr. Janabi said there was "nothing official" in the way of financing coming from the C.I.A. But Washington will probably provide some money, American officials said. The American government secretly contributes to several intelligence services in the Islamic world with which it has close ties, including those in Jordan, Egypt, Pakistan and Algeria.

The Iraqi National Accord and the Iraqi National Congress have long been archrivals, each working for the overthrow of Mr. Hussein but with backing from competing branches of the American government.

The Iraqi National Accord, led by Sunni Arabs who once belonged to the Baath Party, was nurtured by the C.I.A. In 1996, operating with the agency out of Jordan, it tried to organize a coup by military officers in Iraq, but failed when Iraqi intelligence agents learned of the plans. Several months before the American-led invasion last March, it tried reaching out to top Iraqi military officials to persuade them to turn against Mr. Hussein.

The Iraqi National Congress is supported by the Defense Department and works closely with the Defense Intelligence Agency, the Pentagon's intelligence arm, even though the party has been sharply criticized for exaggerating the threat from illicit weapons. The party has taken over the old headquarters of the Mukhabarat, and American men in civilian dress — apparently D.I.A. operatives — can be seen walking the hallways of the building.

Douglas Jehl contributed reporting from Washington for this article.

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To: LPB

From: DCG

Subject: Internal-External Security Boundary

encouraged me to think through and let you know where the line should be drawn between Iraqi "national security" and the justice system. As you know, this is a difficult question even for stable and secure democracies. It is harder still for countries in transition, especially if they have internal security problems that require more than normal law enforcement. In the case of Iraq, virtually every arm of security – military, civil defense, national police, local police – must deal with internal security one way or another in the near term. This makes it both more difficult and more critical to sort out respective roles, missions and authorities when designing permanent institutions.

My view is that "national security" ends at the police. On the other side of that line are functions of the civil justice system – courts, prosecutors, a penal system, etc. – that are essentially about treatment of individuals, as opposed to collective security. The ambiguity is about the police themselves, who will have both a national security function and normal police functions.

It does not matter to me whether responsibility for advising the Iraqis on domestic law enforcement institutions falls with me or instead with whomever is advising them on civil government, including the justice system. What does matter is that we advise the Iraqis properly on this critical issue, which means close cooperation – and a common script – between my shop and the civil affairs shop.

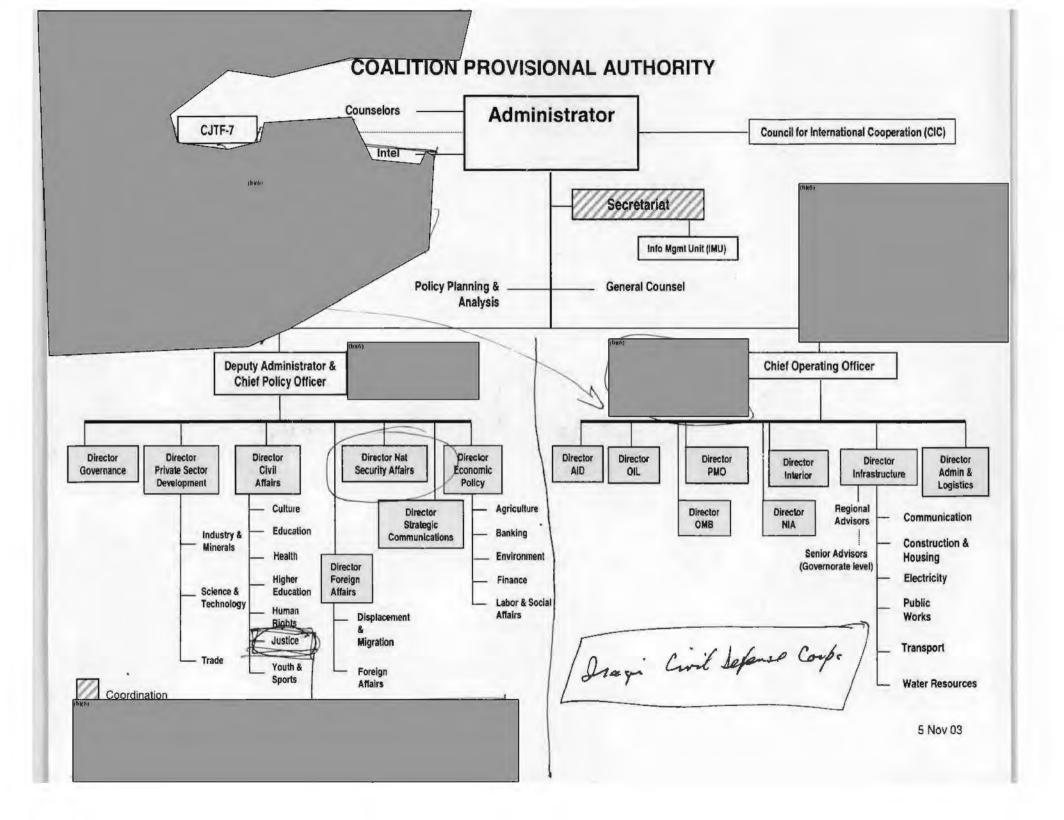
Hope this helps.

To: LPB From: DCG Subject: Personnel Opportunities I have identified three persons of exceptional experience in building and running national security institutions who are willing to consider joining or at least helping the CPA. They are very senior and would be most effective with the Iraqis: There is nothing to do right now, unless you want me to drop any of these leads. I will make no commitments. If and when I get closer to agreement with and/or

I will get word to you so that we can formalize and get political

credit with HMG and the Polish government. In all three cases, it would best if word did

not get back to governments yet that they are talking to me.



#### Institutional Options for Internal Security, Law Enforcement, and Military Forces

#### Needs:

In order to respond to immediate threats, enable Iraq to provide permanently for its national security, and build confidence and respect of the Iraqi people in the state's ability to safeguard them (without oppressing them), three main security capabilities are required:

Police services, which have primary responsibility to enforce laws and maintain order
from the local to the national level. The minimum essential goals of police are law and
order, apprehension of criminals, day-to-day public safety, and cooperation at the
"neighborhood" level, as opposed to threats to the country as a whole. Police capabilities
needed today are likely to be needed for the long term.

2. Military forces, which have primary responsibility for national defense against external military threats. Under strict and clear legal guidelines, military forces may be called on by national political authorities to provide specific support in responding to internal threats and emergencies that demand military capabilities. Military forces needed today are likely to be needed for the long term, though the mix of active and reserve components could vary.

3. National internal security forces, which are responsible for responding to threats to the state from within. Such forces must be able to defeat insurgents, terrorist groups, and other armed, organized, dangerous internal elements, which may or may not be receiving external support. Unlike police, they may use force before a crimes occurs and seek to destroy armed opponents. While "high-end" internal threats are the principal dangers now facing the coalition and emerging Iraqi state, internal security forces needed for the long term may (or may not) be different in size and capabilities from those needed today.

How should these three needs be met? Are three separate services desirable, or essential? How should the services be structured and fit within a single architecture? How should their roles, missions, and interaction be defined? How should their accountability to political authority, their acceptance by the Iraqi people, and their compatibility with Iraqi democracy be ensured?<sup>2</sup>

#### Criteria:

While the chief measure of success of designing these forces will be their effectiveness in meeting threats, how they are structured and to whom they report will be a critical to both their effectiveness and their legitimacy (and thus the legitimacy of the new state). Accordingly, consistent with the imperative of effectiveness, alternative approaches should be tested against the following criteria:

Public acceptance. Neither police services nor the military nor internal security forces
will be effective without public trust and cooperation. This requires that the structures
established, to the extent possible, avoid association with past repression -- a difficult

<sup>1</sup> Other forces will also likely be required and established. However, these three represent the largest categories of necessary armed organizations.

<sup>&</sup>lt;sup>2</sup> In addition to capabilities to use force, intelligence capacity will be critical to support all three needs. If intelligence arms are distributed among the several security services, they should be closely linked to one another in an intelligence community. If they are not distributed among the security services, they should be linked to those services to ensure effective support. In any case, they should be under firm political control.

task given the history of police, internal security services, and parts of the armed forces, as well as the ministries to whom they reported.

De-concentration of power. Responsibility for the three functions, and thus control over
the capabilities to perform them, should be sufficiently diffuse to guard against their
exploitation for political gain, let alone for posing a threat, direct or implied, to the
development of a democratic, pluralistic Iraq.

Coordination. The services required to perform the functions of police, internal security
and national defense must be structured, connected, and overseen in ways that ensure the
flow of information, the operational support for one service by another, and the
avoidance of gaps or unwanted redundancy in capabilities and jurisdictions.

While public acceptance bolsters operational effectiveness, de-concentration could impair it. At the same time, de-concentration is important for public acceptance. Coordination is, of course, more important the less concentrated security responsibilities and capabilities are.

#### Possible Structures:

Basically, there are two different architectural approaches:

- Dyadic. A distinction is made between internal and external forces. The Iraqi armed
  forces (IAF) would report to the MoD and have tightly circumscribed back-up roles in
  internal security. The Iraqi police service (IPS) would be the sole internal security force;
  it would have two branches, one for law enforcement and the other responsible for
  conducting paramilitary operations insurgents and other severe internal security threats.
  Under this option, the police would have to report to the MoI.
- 2. Triadic. In addition to the IPS and IAF, a separate force is maintained to combat insurgency, domestic terrorism, and other severe internal threats to national structures, stability, and the state. This internal security force (ISF) would report to the MoI. Ther are two sub-options in this approach: the IPS could report either to the MoI or the MoJ, because its role would be law enforcement rather than that plus internal national security.

The first option provides for easier operational and intelligence coordination, particularly between the two police branches performing law enforcement and internal security missions. At the same time, with the IAF confined to external security, it would place control over all internal security capabilities under one ministry (MoI), which has a dark history and association in the minds of the Iraqi people. Although the ISF branch could be drawn down as internal security improves, its integration with the IPS could create a single source of domestic armed power and a temptation for some ambitious politician. Finally, because enforcing the law and defeating internal national security threats require very different capabilities and operations, this option might skew or undermine the development of a community-friendly, trusted police service and culture.

The second option disperses armed capabilities better than the first. It may make it easier to develop the kind of police force the Iraqi people would trust and support. Moreover, existence of a separate internal security force might reduce the need to call in the IAF to defeat internal threats. The sub-option of placing the police service under MoJ – which is not possible in the dyadic approach – would spread control of armed power over three ministries. Yet, the same diffusion of power that makes this option appealing may also limit how well the separate forces can coordinate, or make inter-service and inter-ministerial cooperation all the more important.

At some point, it would be useful to raise these issues with responsible Iraqis.

XXXXXXXXXXX (classification to be determined)

PROG: 8 December 2003

DRAFTER: OGC

AUTHORIZED: RJONES

CLEARED: OGC,

AMB.
GOV,
CJTF-7,
CJTF-7,
CENTCOM

FROM:

HEADQUARTERS COALITION PROVISIONAL AUTHORITY

TO:

SECDEF WASHDC SECSTATE WASHDC

NSC WASHDC

INFO:

USUN

XXXXXXXXXXXXX HQ CPA XXXX

E.O.. 12958. 12/07/03

TAGS: PREL, PGOV, IZ

SUBJECT: IRAQI TRANSITION: TIMELINE AND DOCUMENTATION

CLASSIFIED BY AMBASSADOR JONES FOR REASONS 1.5 (D AND D)

1. ( )Summary. Based on the schedule set forth in the November 15th Agreement between the CPA and the Iraqi Governing Council (GC), the Fundamental Law, the Security Agreement(s), and an instrument finally transferring governance authority to and recognizing the sovereignty of the transitional Iraqi administration will be negotiated in the coming months. This cable sets forth considerations that should be taken into account during this process. An additional agreement should confirm commitments made by the Iraqis in the Fundamental Law and the Security Agreement(s). A new United Nations Security Council Resolution (UNSCR) could further clarify international expectations regarding the transition of governance responsibilities and the continuing obligations of the concerned Member States. End Summary.

Fundamental Law and Security Agreement(s)

DECLASSIFIED BY OLISD(P)

DATE 25 JUN 09

FOLA CASE # 07-F-1010

- 2. (U) Based on the November 15th Agreement, the Fundamental Law and Security Agreement(s) are to be prepared and executed at the outset of the transition process. Drafting of the Fundamental Law and approval by the CPA and the GC is to be complete by February 28. The Security Agreement(s) are scheduled to be finally approved The Fundamental Law will, inter alia: by March 31, 2004. (1) enshrine the basic principles of fundamental liberties and democracy; (2) set the structure and process for electing and appointing both the Transitional National Assembly and the Transitional National Administration (TNA); (3) outline how the Transitional National Assembly and Transitional National Administration will govern Iraq; and (4) adopt basic principles of federalism in defining the relationship among the national government and the governorate and local levels of government. It may also include a Statement of Development Strategy (and related covenants), confirming Iraq's commitments to continue developing its governing institutions in accordance with appropriate socio- and macroeconomic frameworks.
- 3. ( ) Additional steps to brace the legitimacy, durability and immutability of the Fundamental Law may be advisable. While styled as a Fundamental Law, it would be approved and presumably signed by the GC and the CPAentities that will be dissolved when governance authority is transferred. Under international law, the Fundamental Law would therefore set forth political commitments, rather than binding legal obligations. CPA believes that there are strong arguments for making compliance with the Fundamental Law an international obligation owed, at least in part, to the United States, although this approach requires additional review. (Note: As discussed below, a new UNSCR may be a more effective way to confirm the binding nature of the Fundamental Law. End Note.) Furthermore, compliance with the Fundamental Law (and satisfactory development of governing institutions) could be linked to disbursements of United States assistance from the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (the "Supplemental").
- 4. () The Security Agreement(s) will be comprised of, inter alia: (1) a status of U.S. Forces agreement (SOFA); (2) a military technical agreement (MTA); (3) acquisition and cross-servicing agreements; (4) protection of U.S. Forces from the International Criminal Court; and (5) non-

proliferation commitments. With respect to the SOFA and the MTA (which should authorize robust force protection and anti-terrorism operations), the agreement(s) should enable other Coalition members to accede to the agreement(s) and benefit from the authorizations, privileges and immunities therein. As with the Fundamental Law, the CPA believes that additional steps should be taken to ensure that the Security Agreement(s) is an international obligation owed to the United States and other participating Coalition members.

5. (U) Following execution of the Fundamental Law and Security Agreement(s), a Transitional National Assembly will be selected on May 31, 2004, and the Assembly will elect a TNA sometime in June 2004. Once a TNA is elected and operational, the CPA will transfer all remaining governmental authority to it, thereby ending the occupation (on or about June 30, 2004).

## June 30th Documents

- 6. ( ) The CPA's transfer of all remaining governmental authority and the recognition of the TNA's sovereign status will likely take the form of an agreement. Immediately following the execution of this agreement, the United States and the TNA should execute a separate agreement that ratifies or otherwise confirms the commitments made by the Governing Council in the Fundamental Law and the Security Agreement. This sequencing will support the position that the agreements are binding under international law by virtue of having been freely concluded by two sovereigns.
- 7. ( ) Within this or a separate agreement, the United States and the TNA will need to address several other issues. In particular, they will need to: (1) specify the details of resuming diplomatic and consular relations (possibly including matters relating to a new U.S. embassy); (2) waive all claims arising out of the war and the occupation of Iraq by the Coalition; (3) transfer any Oil-for-Food contracts that were transferred to CPA by the United Nations; and (4) confirm and clarify that certain CPA Orders will continue in effect. In addition, responsibility for managing the Development Fund for Iraq and approving disbursements from that Fund will need to be transferred from the Administrator to the appropriate TNA officials.

8. () CPA is reviewing the types of claims for which it will seek waiver. CPA favors seeking an Iraqi waiver for claims arising out of the most recent conflict, the occupation (including acts of the CPA) and, perhaps, the first Gulf War. It may also be appropriate to raise specific U.S. claim issues, such as the 1990 settlement agreement compensating victims of the attack on the U.S.S. Stark.

#### A New UNSCR

9. () A United Nations Security Resolution, invoking Chapter VII of the U.N. Charter, could clarify the legal effect of the Fundamental Law and the Security Agreement(s). Such a resolution would augment the legal authority for a continued foreign presence in Iraq and would demonstrate that the post-occupation role of the United States is internationally understood and accepted. Nonetheless, CPA acknowledges that an UNSCR presents obvious risks, inasmuch as certain Security Council members may view this role as inconsistent with Iraq's exercise of "full sovereignty".

#### Comment

10. () Comment. Sequencing these negotiations will present certain challenges. The first agreements may require some of the most politically difficult concessions for the Iraqis to accept, and they will be negotiated with a body that is scheduled to dissolve and whose members are running for office. Furthermore, the TNA will be asked to revisit these agreements through a ratification or confirmation document within weeks of its formation. Nonetheless, a new UNSCR could facilitate acceptance of these agreements by Iraq and the international community and the United States will be able to leverage the Supplemental and its ability to improve the overall security situation. Moreover, the United States is unlikely to be alone in wanting the new government of Iraq to commit itself in a binding way to the timeline set forth in the November 15th agreement. End Comment.

BREMER

#### SECURITY SECTOR REFORM - DESIGNING STRUCTURES FOR COUNTER-INSURGENCY AND FOR THE TRANSITION

The immediate focus of the CPA must be upon building Iraqi forces and security institutions to counter the insurgency. It is vital to be clear about the roles of Iraqi and Coalition Forces (CF) and to create workable command and control and oversight structures. At the same time, it is important to design institutions that will not challenge the civilian government, oppress the population or facilitate political fragmentation. We should envisage three phases of operation. First, the period up to transition when CF forces will have primacy. Second, the period from transition when Iraqi forces will have primacy. Third, the period after the emergency when the Iraqi security sector can "return" to a stable state.

#### The Emergency Period1

Key steps that need to be taken to defeat the insurgency include:

- Coordinated command and control structures at national and regional levels<sup>2</sup>;
- Mobilization of a reserve force (ICDC) and use of the NIA in internal security;
- · Extra resourcing for specialist police units;
- · Rapid build-up of internal security intelligence capabilities;
- Use of CF/MNF for internal and border security;
- [Limited security cooperation with "compliant" militias];
- [Emergency powers legislation].

#### Unity of Command and Effort: Coordination, command and control structures

We need unity of effort to prosecute the COIN campaign. Overall, we need to build command and control structures that will combine political accountability with command efficiency. During the emergency period, it will be important to reinforce these systems with additional coordination mechanisms between Iraqi security forces, CF/MNF and Iraqi political institutions at the national, provincial and local levels. It may even be desirable to appoint a single Commander for all security forces during the emergency period.

At the national level, we need a cabinet-type system or National Security Council, which will be at the apex of a National Command Authority. The MoNSD will give strategic guidance to the JFHQ, which translates this into operational direction through a national Joint Intelligence/Operations Committee (JIOC). Direction goes down to the NIA HQs at the division/brigade levels who conduct operations in support of the IPS. Coalition forces would remain in the background, with links into this chain of command.

Policy coordination at the regional and local level should be provided by expanded Provincial Council Security Committees. Committee members would include the Governor, members of the Provincial Council, the police chief, local NIA/ICDC commander and representatives of other key services (intelligence, Department of Border Enforcement [DBE], local Facilities Protection

<sup>&</sup>lt;sup>1</sup> The term "emergency" is used to remind us that we are building traqi security structures to deal with a temporary phase of operations and to keep us focused on building structures for the longer term when stability is achieved.

<sup>&</sup>lt;sup>2</sup> Examples of success include Briggs and Bourne in Malaya, Harding in Cyprus and Creasy in Oman. It did not go well in Palestine 47-48 and has been difficult in Bosnia (High rep/Com SFOR). The Commander of all security forces has to have authority to direct intelligence (as in Malaya when police Special Branch had primacy).

Including representation from MoNSD, MoI, MFA and the uniformed services.

Service [FPS], key ministries such as transportation). The local MSC commander and (up to the transition period), the Governorate Coordinator would also be members.

The Security Committees would be supported at the operational level by regional JIOCs. These would operate 24/7 at national, provincial and local levels to coordinate and direct operations that bring together CF/MNF, NIA, IPS, ICDC, intelligence services, FPS and DBE.

#### Security force roles and responsibilities

There are five entities that will be employed to achieve internal security: the Iraqi Police Service (IPS), the Iraqi Civil Defense Corps (ICDC) and the New Iraqi Army (NIA); intelligence services<sup>4</sup>; Coalition Forces/MNF.

- IPS. The IPS should have primacy not just for routine policing but also for internal security. To enable the IPS to deal with the emergency period, we have i) adopted a relatively centralized command structure and ii) are accelerating plans to develop specialist capabilities (e.g. anti-terrorist branch, police intelligence, armed response<sup>5</sup> and public order units). The IPS is being established as a national force with local accountability. Coordination with other security forces needs to be operationalized via regional and local JIOCs.
- ICDC. Locally recruited and deployed, the ICDC will have 36 battalions by the time of transition. Initially envisioned as auxiliary troops, the ICDC will be able to perform tasks at up to company level. Missions will involve patrolling, cordon and search, fixed-site protection, check points, and convoy escort. Until the IPS develops nation-wide and robust capabilities, the ICDC provide a buffer between the IPS and the NIA, which will only come into action in extremis. The ICDC should come under the NIA command and control structures and transition into an army reserve force. It needs to be made clear that the ICDC is a reserve force that has been mobilized under national authority for the emergency period.
- NIA. The NIA will have three divisions by September 2004. It is being designed for external defense but, during the emergency period, needs to help counter internal security threats.<sup>7</sup> It is important to enshrine this role in legislation (e.g. a "Defense Force Aid to the Civil Authorities Act".) The NIA brings two types of capabilities to bear. First, it can rapidly deploy formed units to provide a quick reaction capability. Second, it can bring to the table its C<sup>3</sup> and logistics assets.
- Intelligence. Intelligence collection, fusion and analysis are critical. Standing up effective
  and accountable intelligence services<sup>8</sup> is a priority; it is equally important to focus upon
  intelligence coordination at all levels. A Joint Intelligence Committee is required at the
  national level; coordination needs to cascade down to provincial and local levels via JIOCs.

<sup>&</sup>lt;sup>4</sup> The Department of Border Enforcement will be critical for border security. It needs to be integrated into coordination and intelligence mechanisms. Infrastructure security will be vital for economic development and political stability. The Facilities Protection Service (FPS), along with a well regulated private security sector, will be important actors.

<sup>&</sup>lt;sup>5</sup> The Mol's Special Intervention Unit should be the focus of effort for a national executive action capability.

<sup>&</sup>lt;sup>6</sup> ICDC tasks currently include maintaining public order and disaster response. It is a priority to ensure ICDC receive appropriate public order training and equipment and that this role be handed to specialist IPS units as soon as feasible. Disaster response should be led by the Civil Defense Organization.

<sup>&</sup>lt;sup>7</sup> Our assumption is the MNF will have primary responsibility for Iraq's external defense.

<sup>&</sup>lt;sup>8</sup> Whilst police and military intelligence will exist within the MoI and MoNSD, it may be useful to have separate internal security and foreign intelligence services.

(b)(6)

 Coalition Forces/MNF. CF/MNF should be able to focus on the most demanding counterterrorist operations and to back up Iraqi forces should law and order break down. It will also be important for CF/MNF to bolster Iraqi forces with advisers and liaison staff.

#### Militias

The original CPA objective to DDR sub-state militias may no longer be feasible. Offensive actions will continue against non-compliant militias. Compliant militias may however be integrated into the Iraqi security sector. If this approach is adopted, however, it should be on the basis of a clear political-security strategy rather than as an ad hoc response to short-term operational requirements.

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## **Executive Summary**

#### [1 page text exec sum]

### Actions

Defeat insurgents and terrorists

Action: Security architecture to run the emergency should be created as soon as possible.

<u>Action</u>: Deploy other security forces, negotiate cross-border agreements and apply diplomatic pressure to support DBE border control efforts.

Action: Clarify structure and powers of provincial security committees during the emergency period.

Action: Develop and implement policies to ensure that security force arrangements for the emergency period do not militate against the CPA's longer term vision for the Iraqi security sector.

Build Iraqi security force capacity

Action: Policy decision required on the use of NIA for internal security.

Action: ICDC should be factored into the key actions concerning the NIA.

<u>Action</u>: Iraq public perceptions of the ICDC and NIA should be managed carefully through an Information Operation.

Action: The MOI needs to be given sufficient resources to build-out the IPS into a professional, nation-wide force.

<u>Action</u>: Build Iraqi intelligence services and oversight mechanisms that balance effectiveness with accountability.

Develop coordinated plans for TOA to Iraqi authorities

Action: Detailed ToA plan between CJTF7 and CMATT over disposition of NIA – this should be wargamed.

Action: Command relationship between Iraqi Contingent Command Authority and Coalition Forces during and after ToA, 1 Jul 04, needs defining.

Resolve disposition of militias

<u>Action</u>: Deploy MOI structures across the country and assimilate militias into the IPS, DBE and NIA where appropriate.

Action: Create a strategy for deploying the NIA into the Northern region.

Build durable and accountable governance for Iraqi security forces

<u>Action</u>: Manage risks from TOA of FPS to ministries by funding salaries or offering options for unemployed personnel. Rapidly build ministerial capability to manage devolved FPS.

Action: Build legislative oversight mechanisms into the Fundamental Law.

Action: Build Iraqi capacity for oversight of security issues.

Action: Support community policing capacity building initiatives.

Action: Develop or amend legislation covering the security forces

Adopt holistic approaches to conflict prevention and management

Action: Support civil society conflict prevention initiatives.

Action: Develop and implement a program of regional confidence building measures.

Improve CPA security sector management processes

<u>Action</u>: Designate and empower a 'security sector coordinator,' produce an integrated strategy, and pursue the integrated planning process that we have begun.

Action: Undertake detailed planning, including gaming, to ensure seamless TOA to Iraqi institutions in the security transition concept and resolution of command and control arrangements.

Action: Mitigate these risks by ..

<u>Action</u>: Coordinate planning and budgeting across the Iraqi security sector so as to improve monitoring of implementation and enable systematic decisions on priorities.

<u>Action</u>: Develop and use output and effects based measures of effectiveness to determine progress in the security sector.

## 1 Introduction

One of the implications of the November 15 agreement is the requirement to accelerate the building of Iraqi security sector capacity. Although Multi-national Forces (MNF) will remain in support of the sovereign Iraqi government, the CPA intention is to build sustainable Iraqi security capacity as rapidly as possible. This should allow MNF to withdraw to local and regional control stances in the course of 2004.

#### 1.1 The Goal

The CPA has defined the desired end-state for security in Iraq as follows:

- there is a secure environment for people and property that enables citizens to participate fully in political and economic life;
- the Iraqi government has the means, including its own defense and police forces, to assume its responsibility for external and internal security, including policing of its borders;
- relationships with regional states and with the international community have been established;
- the roles and accountabilities of organizations providing security are clearly defined within a legal framework which governs inter alia the ownership of weapons.

The goal is to help Iraq build legitimate and accountable systems of security to prevent violent conflict. This needs to be done by reforming the Iraqi security sector so that it supports the emergence of a stable, secure and democratic Iraq.

#### 1.2 The Problem

CPA & CJTF-7 activity in the security sector has often been driven by the short-term requirement to address pressing security needs. The current security sector strategy development process has the following weaknesses:

- We have not designed our security sector development program based on a thorough risk or conflict assessment;
- There is no overarching security vision for Iraq that joins up short-term current activities with long term goals;
- Measurement of progress towards end-state outputs needs to be improved;
- We are focusing on building tactical and operational capabilities the building of Iraqi
  governance and oversight capacity is proceeding more slowly;
- Local ownership of the security sector reform process and policy is in its infancy;
- We are focusing on "hard" security force development with limited attention being paid to building "soft" Iraqi capacity to prevent or manage conflicts.

#### 1.3 Considerations

The achievement of the security end-state is by no means only a function of the nature, size and shape of the recognized security forces that may be in place when transition to Iraqi sovereign control takes place. Some of the key factors influencing how the security sector develops are:

• The final choices for Iraq's national security policy, institutions and forces will be made by an elected Iraqi Government. Decisions that pre-date the transfer of sovereignty may not long outlast it. We should select carefully the areas where we want to influence the outcome, and should also involve Iraqis in our selection and decisions. We should consciously avoid taking decisions, where they do not need to be taken, that prejudice these choices.

- These choices will reflect the political distribution of power in Iraq. For June 2004 this should be
  codified in the arrangements for a transitional national assembly, including a Fundamental Law
  which sets out the federal arrangement for Iraq and a statement of civilian political control over
  Iraqi security forces.
- The security situation, internal and external, at these transitional points will determine the shape
  of the security sector. We can only make assumptions about how the security situation will
  evolve, and about the extent to which MNF will continue to help Iraqis to manage the threats to
  their security.

## 2 Security Sector Reform Best Practices

A strategy for the development of Iraq's security sector can draw on the extensive experience gained by the international community in recent years of reforming security sectors in transitional and failed states.

Security Sector Reform describes the transformation of the security system in a manner that is consistent with democratic norms and sound principles of good governance. The need for SSR has been recognized by the international community in three aspects. First, an understanding that security policy must be concerned not just with state stability but also with the well-being of the population. Second, an understanding that security and development are inextricably linked. In particular, it is important to mainstream security as a governance issue, involving greater public scrutiny. Third, a recognition that security problems for the population often stem from the way in which security systems operate and are organized, regulated and resourced.

It is important to note that SSR goes beyond the uniformed services. The "security system includes the armed forces, the police and paramilitary forces, intelligence services ..., judicial and penal institutions, as well as the elected and duly appointed civil authorities responsible for control and oversight."

In developing countries such as Iraq, the overall objective of SSR is to create a secure environment that is conducive to development. This involves the development of state capacity "through its security policy and the various instruments at its disposal, to prevent, contain or address specific security threats" but also the building of state and societal capacities to generate conditions that mitigate the vulnerabilities to which people are exposed.<sup>2</sup>

2.1 Lessons for Iraq

International experience with SSR has identified a number of best practice principles. SSR programs need to:

- Be people-centred, locally owned, and based on democratic principles;
- Integrate development & security policies through civilian oversight;
- Enhance institutional capacity;
- Adhere to transparency and accountability;
- Take a whole-of-government approach.

For international organizations or bilateral donors promoting SSR, there are a number of crucial lessons to keep in mind. These include:

- Ensure that short-term operational perspectives do not come at the expense of long-term development or security objectives;
- Develop strategic programmatic framework approaches rather than project by project approaches;

<sup>&</sup>lt;sup>1</sup> Security System Reform: Policy and Good Practice, OECD, Development Assistance Committee, Network on Conflict, Peace and Development Co-operation 1 Oct 2003.

<sup>&</sup>lt;sup>2</sup> This broadens the agenda beyond state security forces to bring in, for instance, non-state organizations such as citizens' groups, tribal councils and religious institutions which may help prevent or manage violence.

 Focus on building capacity for process issues, such as how governments can formulate and implement security policies more effectively.

## 3 Situational Assessment

Iraqis face five types of security threat: foreign invasion; crime (especially organized crime); political violence (terrorism, insurgency and civil unrest); state violence; and corrupt and highly politicized security sector institutions. The new Iraqi security sector needs to be built so that it will protect Iraqis against all of these threats. Whilst the immediate focus of the CPA is to field Iraqi security forces, it is just as important to design new institutions that will not challenge the civilian government, oppress the population or dispense justice and security in a sectarian or corrupt manner.

#### 3.1 Priorities

On the assumption that MNF will defend Iraq against external enemies, the threat of foreign invasion is a low priority for Iraq's security sector in the coming [five years]. Political violence, crime and the design of institutions that will underpin the civil government are the most important short-term issues.

3.2 The emergency period

At least through the end of 2004, the Iraqi government will be in an emergency period characterized by an exceptionally high level of political violence, of organized crime and of external subversion. It is important to implement emergency measures to defeat the insurgency, but we must ensure that these measures do not become institutionalized under the interim administration.

Emergency measures that are being taken include:

- · Rapid deployment of a "third force" (ICDC);
- Use of the NIA in internal security;
- Combined command and control structures at national and regional levels (e.g. COIN action committees);
- Extra resourcing for specialist police units (e.g. anti-terrorist investigation branch; Special Intervention Unit);
- Use of MNF for internal and border security;
- · Rapid build-up of internal security intelligence capabilities;
- Limited security cooperation with "compliant" militias;
- [Emergency powers legislation].

Long-term risks arising from these emergency measures that need to be avoided include:

- Coups: the emergence of security sector actors (MOI, MoD, NIA or central intelligence service) that are more powerful and better organized than the civil government;
- Authoritarian state: the perpetuation of emergency measures by the transitional or a
  future elected government. This becomes a greater risk if the state is captured by a
  political party, religious faction or else comes to treat one community (e.g. Kurds,
  Sunnis, Shia) as the internal enemy.

3.3 A holistic security approach

In addition to the development of the Iraqi security sector to address the symptoms of violent conflict, a holistic security approach would address the causes and motives for conflict. A holistic approach could address both internal and external factors.

Civil society conflict management mechanisms are an important adjunct to "hard security" measures to manage internal security threats. These mechanisms have been proved in other conflict-torn societies; the aim is to empower Iraqis to take responsibility for preventing and managing conflicts. The most important conflict management mechanisms are those institutions that CPA is already pursuing (participatory governance, rule of law, accountable security forces that respect human rights). In addition to these mechanisms, programs targeted to allow society to manage its own conflicts can assist in the short term by damping down violence and in the longer term can help build robust civil society institutions. Examples include:

- Social and economic programs that address the roots of violence (e.g. youth unemployment and gun culture);
- · Religious outreach and interfaith dialogue;
- Tribal outreach;
- Neighborhood watch schemes to empower citizens to control crime in their own communities.

Action: Support civil society conflict prevention initiatives.

External risks can be addressed by foreign policy and defense diplomacy initiatives. In Iraq's case, in addition to normal foreign policy initiatives and border agreements, these can include military Confidence Building Measures and participation in regional security arrangements.

Action: Develop and implement a program of regional confidence building measures.

## 4 Elements of the Iraqi Security Sector

The effort to develop a reformed Iraqi security sector has faced two critical challenges. First, decisions were taken in the early post-war period to abolish a substantial portion of the sector (armed forces, defense ministry, security services). These elements of the sector are being built anew. Second, the development program has been undertaken against the backdrop of an escalating insurgent and terrorist threat; this has meant that numerous short-term operational priorities have led to security force programs (e.g. ICDC, accelerated police training) that have not yet been put in the context of an overall vision.

#### 4.1 Overview of the Iraqi security sector

To counter the threats outlined in section 3, Iraq requires the following capabilities:

#### External defense

- A combined arms force able to protect lraqi sovereignity
- An external and military intelligence capability able to support national defense

#### Crime

- Accountable, impartial and effective local police forces
- Specialist national police units able to deal with national and international organized crime
- Citizen trust and cooperation with the police force via community initiatives
- · An efficient and fair judicial and penal system
- Public or regulated private guard services
- Effective and comprehensive border control services

#### Political violence

- Domestic intelligence capabilities
- Capability to deal with armed insurgents and public order
- Border control services

These capabilities can be provided in many different ways. In pre-war Iraq, for instance, the intelligence and security services dealt with political violence and some crimes whilst the military undertook external defense as well as internal security.

The "best practice" in SSR is to separate external defense forces (armed forces) from police-led internal security services and to ensure civilian primacy over security affairs. This is the approach the CPA has sought to follow.

#### 4.2 New Iraqi Army

Current position: The NIA is at an early stage in its development. It will be the basis for a future Army for the defense of Iraq against external threats. By Oct 1 2004, 27 battalions, 9 brigades and 3 divisions will have been created. In the intervening period, CJTF-7 will have operational control of brigade headquarters and battalions once they stand up. The first Brigade HQ will deploy to Mosul in Jan 04; it is expected to be used for the command and control of ICDC battalions. The 2<sup>nd</sup> Battalion's employment is subject to decisions on creating a quick reaction force to support Coalition operations. Force generation is as follows: 4 battalions and 1 Brigade HQ by end-Feb 04, 1 Division HQ and 2 Brigade HQs in Apr 04, 2 Division HQs, 6 Brigade

HQs and 12 more battalions in Jul 04, and 11 battalions by end-Sep 04. An Iraqi Coastal Defense Force and Iraqi Coastal Defense Regiment will be created for boarding, countersmuggling and maritime interdiction operations in the littoral up to 12 nautical miles, by Oct 04. Additionally, an aviation element for transportation and medevac will be ready by Sep 04. A JFHQ is planned to be operational by 1 Jun 04. Senior military and civilian leadership is being sought through an Outreach program – currently there are about 150 candidates of interest.

Desired end-state: The long term goal is for Iraq to possess armed forces capable of defending Iraq. A two Corps-size Army with the capacity for conducting all-arms operations is being envisaged. This will be dependent on a serious 5-10 year investment program.

Transitional issues: Although the NIA was originally envisaged for traditional defense-type missions, the key question concerns its role in the current emergency. This has to be enshrined in the 'Defence Force Aid to the Civil Authorities Act', being prepared for the Governing Council. Managed carefully, this should enable the right relationship with the IPS who should be in the lead for internal security. During the transition, MNF would increasingly remain in the background as reaction forces for demanding counter-terrorist operations, or hold the ring should law and order break down. The employment of the 2<sup>nd</sup> Battalion will likely set the precedent for the use of the NIA in internal security. The second issue is the deployment plan for the NIA in relation to CJTF's ToA to Iraqi forces and whether sufficient command and control will exist to manage 36 ICDC battalions to meet the transition timetable. It is planned to eventually replace the MSCs with NIA Division and Brigade HQs working to the JFHQ, which would take strategic direction from a MoD.

Action: Policy decision required on the use of NIA for internal security.

Action: Detailed ToA plan between CJTF7 and CMATT over disposition of NIA – this should be wargamed.

Action: Command relationship between Iraqi Contingent Command Authority and Coalition

Forces during and after ToA, 1 Jul 04, needs defining.

Action: Security architecture to run the emergency should be created as soon as possible.

#### 4.3 Iraqi Civil Defense Corps

Current position: The ICDC is a local and lightly equipped force designed to augment Coalition Forces. It should enable Coalition (and Multi-national) Forces to reduce their presence, particularly in urban areas. Under CJTF-7 plans, it would mount urban and rural patrols, conduct cordon and search, protect fixed sites, establish check points, escort convoys, maintain public order, and help with emergency and disaster response. ICDC expansion envisages 36 battalions being formed by end-Apr 04.

Desired end-state: Transform the ICDC into a territorial reserve-type force under control of the NIA.

Transitional issues: The control of the ICDC during and after expansion has to be synchronized with NIA deployment plans. The ICDC should feature in the ToA plans discussed above and be a component of the security architecture. Its (supporting) relationship to the IPS should be clear and, where possible, it should act as a buffer between the NIA and the people, especially for public order situations. Once the ICDC is weaned off Coalition Forces and operates autonomously, we should avoid the ICDC being too independent at the local level, as it may be at the mercy of factional interests. The NIA will play key role here as the ICDC transitions to its end-state.

Action: ICDC should be factored into the key actions concerning the NIA.

Action: Iraqi public perceptions of the ICDC and NIA should be managed carefully through an Information Operation.

#### 4.4 Iraqi Police Service

Current position: The IPS was one of the lowest status security forces under the previous regime and performed little in the way of modern policing duties. They had little presence outside urban areas. In the post-war period, they lost most of their personnel and equipment. The IPS are now being rebuilt in the major urban centres; a massive recruitment and training program is now beginning.

Desired end-state: A single, nation-wide police service that combines centralized standards and policies with local accountability. The IPS will be the lead internal security and anti-crime capability and will serve all Iraqi citizens equitably. The IPS will operate as a modern, professional force according to international standards of human rights. Its 75,000 officers will be well-trained through a combination of basic mandate training, mentoring and specialist and leadership training.

Transitional issues: The CPA is engaged in an ambitious program to rebuild and enhance the IPS infrastructure and equipment base, to retrain existing officers, to recruit and train afresh new officers and to inculcate modern policing practices and procedures into the force. This program is being undertaken at a time when the IPS finds itself in the front-line of the insurgency campaign. The rate at which the IPS can be transformed into the leading security agency, can operate effectively against crime and political violence and can win the trust of the Iraqi people will be critical to the development of the Iraqi security sector.

Action: The MOI needs to be given sufficient resources to build-out the IPS into a professional, nation-wide force.

#### 4.5 Department of Border Enforcement

Current position: The DBE was created by combining relevant capacities from a variety of government departments. Most border control functions are currently undertaken by CF but they are currently being transferred to the DBE as the department recruits staff, acquires equipment and refurbishes border facilities. The intention is to transfer authority for border points of entry to DBE during the first quarter of 2004.

Desired end-state: A professional, fully-manned border protection agency that combines border policing, customs, passports and immigration. The DBE, assisted by cross-border agreements and visa regimes, that the MFA will negotiate, will be able to control flows of people and goods across Iraq's borders.

Transitional issues: Currently, there is limited control over Iraq's borders, allowing extensive cross-border flows of people and goods, including criminals, terrorists and smuggled goods. Additional assistance will be required from MNF, the NIA and possibly the ICDC in the transitional period.

Action: Deploy other security forces, negotiate cross-border agreements and apply diplomatic pressure to support DBE border control efforts.

#### 4.6 Facilities Protection Service

Current position: Assorted FPS units have been stood up across the country by the MSCs and are now being transferred to the operational and budgetary control of ministries and other public authorities. The ongoing TOA is not proceeding smoothly due to differences in manning levels and budgetary restrictions and the inability of the ministries to fully accept and understand the magnitude associated with the security aspects incorporated into their positions. Furthermore without a full time, permanent and dedicated individual in each ministry, or government entity, they become negligent in their delegated duties. Unless this becomes a high priority for the ministries throughout the governorates this will become a failed first line of defense against civil and criminal lawlessness in Iraq.

Desired end-state: The FPS will be constituted as a professional, well-managed guard force, complemented by a well-regulated private security sector, which provides comprehensive protection to important public facilities and personnel. Each Iraqi ministry and local authority will fund and manage its FPS force, within a framework of standards provided by the MOI.

Transitional issues: TOA of FPS to Iraqi entities will complete early in 2004 but decisions need to be made regarding funding scales and ministerial management of FPS, with oversight by MOI and CPA due to the inability of some ministries to take on their own security responsibilities.

Action: Manage risks from TOA of FPS to ministries by funding salaries or offering options for unemployed personnel. Rapidly build ministerial capability to manage devolved FPS.

#### 4.7 Intelligence

Current position: The former Iraqi intelligence services have been disbanded and their personnel disqualified from government service. The Coalition has created a number of tactical and operational intelligence units to counter security threats. The IPS is developing basic criminal intelligence capabilities in Baghdad and a national criminal intelligence unit is planned by the MOI. Oversight capabilities at the executive level are planned in the MOD and MOI structures. Training opportunities for senior officials as future intelligence consumers and oversight providers are being looked at. The legal framework for subordination, coordination and oversight of the Intelligence community has yet to be developed.

Desired end-state: Iraq will have an apolitical, civilian [Counter-Intelligence Service under the Ministry of Interior] and a tactical and operational Military Intelligence capacity. There will be a Parliamentary oversight Committee and executive oversight functions at the Ministries of Interior and Defense at the deputy undersecretary level. There will be civil service capacity to provide a central intelligence coordination function.

Transitional issues: Iraq never had intelligence services in the contemporary Western sense but rather had suppressive apparatuses that spied on its own citizens. Iraq never had a strong Military Intelligence capacity either. Consequently, there is a lack of personnel trained for Intelligence oversight and/or intelligence collection and analysis. There are no intelligence officers with democratic experience. It is a concern for the Coalition to select and train suitable personnel for management posts in the new services. There is no political tradition of a apolitical, civilian Intelligence services in Iraq. Iraqi political leaders need to be educated in the basic principles of how Intelligence services are run in a democracy.

There is an urgent need to improve coalition and Iraqi intelligence capabilities to counter insurgents and terrorists. Equally important, however, is long term planning for Iraqi intelligence capacity and the building of oversight mechanisms and legal frameworks to ensure the protection of human rights and to avoid future political misuse of the intelligence services.

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Action: Build Iraqi intelligence services and oversight mechanisms that balance effectiveness with accountability.

#### 4.8 Criminal Justice Current position: [...]

Desired end-state: [...]

Transitional issues: The holistic reform of the criminal justice sector is vital to the building of durable security capacity. It is important to ensure that the justice and policing systems develop together and are mutually reinforcing. Progress is interdependent. There are four critical dependencies that will affect progress.

- As coalition troops withdraw from supporting courts and prisons, it is vital to have in place civilian (contractor) personnel to operate the system and to build Iraqi capacity.
- The removal of the secret police has left the judiciary extremely vulnerable to violence, which will undermine the whole judicial process. Judicial personnel and courthouses are dependent on police protection.
- The justice system is dependent upon a high level of skill in the investigation and preparation of cases for trial according to international standards. This is a joint policejudicial capability that needs to be developed early in 2004.
- Judicial authority and credibility comes from the evenhanded administration of justice. This entails the fair application of the rule of law to free the innocent and appropriately punish the guilty. It also has to do with the proper treatment of those persons held pending trial, the prompt resolution of the allegations made against them and humane treatment of those incarcerated after conviction. One problem is the availability of sufficient numbers of secure prison spaces.

#### 4.9 Militias

Current position: [strength and activities of militias; relationships with Iraqi security forces]

Desired end-state: The long term goal of CPA is for the state to enjoy the monopoly of violence and for armed militias to disappear or to be transformed into political parties. This may no longer be a viable objective.

Transitional issues: Demobilization, Disarmament & Reintegration have not been made a formal plank of CPA policy but they do inform a range of CPA policies (e.g. stipends for soldiers and peshmerga, weapons control order, and targeted recruiting campaigns for new security forces). Further progress could be achieved by coordinating efforts to recruit entry level and management level manpower for the new security forces. Crucial transitional issues will be whether/how to integrate KRG security structures (e.g. to extend MOI, including IPS and DBE forces to the north) and to reintroduce the NIA into the north to assimilate peshmerga personnel. In addition, the relationships of Iraqi security forces with other militias will need to be resolved. There is already a marked tendency amongst the political parties to hold onto their militias and arms to protect their interests during a volatile transition period.

Action: Deploy MOI structures across the country and assimilate militias into the IPS, DBE and NIA where appropriate.

Action: Create a strategy for deploying the NIA into the Northern region.

## 5 Governance & Accountability

Establishing effective and durable civil governance of the Iraqi security sector is fundamental to ensuring the transition to a stable democracy and a durable peace. It would be too easy for Iraq to revert to past models in which the military or other security agencies subvert civil government, where they become instruments of repression wielded by an undemocratic government or where sub-state militias lead to the weakening of central authority.

The rapid build-up of fielded Iraqi security forces must not come at the expense of establishing robust governance frameworks within which these forces will work. At present, the institutionalization of CPA/Iraqi civil governance mechanisms is falling behind the development of fielded forces.

5.1 National oversight & civilian control

On the national level, the institutionalization of civil governance is beginning with the MOI, MOJ, GC sub-committees and the OSA senior leadership program. It is not yet clear that these efforts will succeed in institutionalizing durable civil governance mechanisms.

Political Oversight: National political oversight mechanisms are being developed in the form of the GC sub-committees on national security and foreign affairs but the Fundamental Law will have to go much further in creating legislative oversight mechanisms to hold the security ministries and forces to account. In addition to laying down the legal framework, CPA will have to support capacity building by educating Iraqi political leaders.

Action: Build legislative oversight mechanisms into the Fundamental Law.

Action: Build Iraqi capacity for oversight of security issues.

National Command Authority: [NSC or other structures]

MoD and JFHQ: A MoD will be created by 1 July 2004. Its main function will be strategic policy-making and planning. It will be a civilian-led organization bot will include civilians and military personnel. It will also disseminate strategic direction to the JFHQ, planned to operate by 1 Jun 04. It should link into the NSC and establish good liaison with the MoI. The JFHQ will serve 2 main functions: managing the capabilities of the New Iraqi Defense Forces and directing the conduct of operations. It is planned to co-locate the MoD and JFHQ. The challenge will be sourcing strong Iraqi leadership and good staff principals in time to start operating post-Jun 1<sup>st</sup>.

Provincial Level: Governors and Provincial Councils will not be in the NIA/ICDC/intelligence service chains of command. They will however have oversight responsibilities for the IPS and Civil Defense. Governors will have responsibility for coordinating regional public safety mutual aid plans which, during the emergency period, will involve a leading role in the coordination of provincial security committees.

Action: Clarify structure and powers of provincial security committees during the emergency period.

Ministry of Interior: The Mol has established a structure in which there is civilian control at all levels. Civilian politicians and officials will hold all policy offices but professional officers will have a degree of autonomy. The outstanding issue is the question of the structure of the national

police service and the relationships of local police services with Governors and Provincial Councils. The model currently being proposed involves a higher degree of central control than initially envisaged; this has been deemed necessary in the emergency period. However, it will be important to educate and train Iraqi police officers and empower local oversight bodies so that democratic oversight is strengthened.

Action: Support community policing capacity building initiatives.

#### 5.2 Security sector relationships

An important element in the development of a stable and democratic security sector is a clear agreement on the relationships between and roles of various security forces. This relationship needs to be laid down in law, buttressed by institutional arrangements and inculcated in the culture of security force personnel and their political masters. Iraq's history has demonstrated the danger of building an army primarily for internal security and of allowing intelligence services to operate without proper supervision.

The CPA's policy is to establish police primacy in internal security; the NIA's intended mission is external defense. Other forces (DBE, FPS) have clearly circumscribed missions. However, the current emergency has meant that a greatly expanded ICDC, which will become part of the MoD, has an internal security role and that NIA units will prohably be used for internal security as part of CJTF-7. At the same time, the coalition is building up a range of intelligence services for internal security (NIA/ICDC, IPS, OGA).

This need to counter immediate security threats poses a number of risks if the transition is not handled carefully:

- First, that upon transfer to an Iraqi government, the NIA will revert to Iraqi tradition in becoming a leading player in internal security (and, hence, domestic politics).
- Second, that the territorial basis of the ICDC may lead to them becoming regionally
  powerful political actors tied to parochial political, tribal or religious communities.
- Competition between intelligence services may degrade efficiency and enable rival political interests to use the services for political purposes.

Action: Develop and implement policies to ensure that security force arrangements for the emergency period do not militate against the CPA's longer term vision for the Iraqi security sector.

#### 5.3 Legal Framework

A clear legal framework is required to govern the roles and relationships of Iraqi security forces. Existing CPA Orders covering the NIA (Order 22 and Order 23), the FPS (Order 27) and the ICDC (Order 28) can be translated into the Fundamental Law and future Iraqi legislation. We assume the NIA orders can be extended to cover the ICDC. Additional work is needed to:

- develop legislation covering the role of the armed forces in support of the civil power;
- to clarify the legal framework for policing to ensure consistency of Iraqi legislation with international human rights standards;
- develop legislation covering the establishment of intelligence services;
- develop or amend legislation covering the operations of intelligence and investigative services (e.g. surveillance, wiretapping, emergency detention).

Action: Develop or amend legislation covering the security forces.

## 6 External Assistance

What should be the nature and extent of external assistance to the Iraqi security sector? CPA focus will be on the Security Agreement that will be completed by March 31 2004 to govern the roles and rights of MNF in support of the Iraqi government. However, it is important to define a broader level of engagement to ensure that international political, development and technical assistance supports holistic reform of the security sector and its governance capacity.

[Add material]



## 7 The Way Ahead

The CPA security sector has revised plans for the development of Iraqi security capacity by July 2004. However, CPA still lacks an organizational mechanism for delivering joined-up policy direction on the security sector.

Action: Designate and empower a 'security sector coordinator,' produce an integrated strategy, and pursue the integrated planning process that we have begun.

In implementing the revised plans, there are four overarching factors that CPA, CJTF-7 and Iraqis will have to focus upon.

7.1 Timetables and transition points

The security transition concept lays down a conditions based schedule for building Iraqi security capacity and transitioning to Iraqi control. The concept involves moving to full local control (i.e. Iraqi capacity to police urban areas) by March 2004 and to regional control (i.e. Iraqi capacity to police provinces) by September 2004. Implementing the security transition concept will require detailed planning for hand-offs. Questions that need to be resolved include: what will be the respective roles of NIA/ICDC and IPS and how will they be integrated into CF/MNF command and control structures and how will Governorate Teams and Iraqi Local Government Institutions institutionalize control over security forces in the regions.

Action: Undertake detailed planning, including gaming, to ensure seamless TOA to Iraqi institutions in the security transition concept and resolution of command and control arrangements.

#### 7.2 Risks

The risks that are posed to meeting the CPA's security objectives are: [...]

Action: Mitigate these risks by ..

7.3 Investment priorities

Integrated planning and budgeting across the Iraqi security sector is not yet in place. The problems are now becoming evident as transfers of authority take place from CJTF-7 to ministries, notably in relation to the FPS.<sup>3</sup> Better integration of planning and budgeting activities would help avoid such problems.

Overall investment priorities in the Iraqi security sector should be derived from an overall set of priorities. These are currently laid out in the supplemental but they may be worth revisiting in light of the accelerated timeline. One issue may be the balance of security force investment [e.g. NIA vs IPS].

<sup>&</sup>lt;sup>3</sup> It is probable, once TOA is complete, that thousands of FPS personnel will be laid off by ministries since MSCs hired more guards than were catered for in ministry budgets. Lay-offs are likely to be concentrated in the November-January timeframe. There will also be significant salary cuts for FPS personnel after TOA as a result of new pay scales. This may lead to demoralization and possible security risks.

Action: Coordinate planning and budgeting across the Iraqi security sector so as to improve monitoring of implementation and enable systematic decisions on priorities.

7.4 Assessing progress

Progress in the Iraqi security sector is currently measured in simple quantitative terms (e.g. numbers of personnel). It is important to begin to deploy more sophisticated measures that cover security capabilities and outputs. These may include force capabilities (e.g. trained, effective and equipped police), strength of governance capacity (e.g. ministerial capacity) or security outputs (e.g. amount of violent crime, fear of crime).

Action: Develop and use output and effects based measures of effectiveness to determine progress in the security sector.

## ANNEX Conflict Assessment<sup>4</sup>

Conflict is a normal and healthy part of any political process. The conflict that is of concern here is that which finds expression as large-scale violence. The aim of a country conflict assessment is to identify and prioritize the most important causes of violent conflict to allow effective intervention by national institutions or by international partners. A systematic conflict assessment would ensure that CPA and Iraqi policies are addressing not just the symptoms but also some of the root causes of violent conflict in Iraq.

One model that may be useful in Iraq is that developed for USAID's conflict assessment process. This model seeks to help decision makers address conflicts at four levels.

#### Motive (root causes)

Most individuals do not engage in or support large-scale violence. Many may however have latent motives for supporting or engaging in violence.

Grievances are those underlying factors that make people angry and willing to engage in violence. They can include ethnic and religious divisions, poverty, environmental scarcity, disputes over land or other resources.

Greed is another type of motive. Violent conflict can be beneficial for conflict entrepeneurs who constitute a war economy. These entrepeneurs have a vested interest in instability from which they can profit (banditry, crime, smuggling, drugs, control of natural resources, protection rackets).

#### Means (factors that facilitate mobilization & expansion of violence)

An intention to commit large-scale violence remains latent unless the means are available. These include money, weapons, recruits, organizational networks and external backing. Without some combination of these means, then latent grievances will remain unexpressed.

#### Opportunity (causes due to political or social institutions)

Political and social institutions filter grievances and can serve either to provide or deny the opportunity for violence. *Poor institutions* may fuel discontent through repression, corruption and poor governance; they can fail to limit flows of recruits and arms or even provide resources to opposing factions; they can facilitate the emergence of violence-prone elites. *Good institutions*, in contrast, can address grievances in a responsive manner, they can block access to arms and funds and find alternative employment for potential recruits and they can constrain opportunistic elites.

#### Regional & international causes

Overt or covert military intervention by other states poses the threat of violence. Transnational networks are an important factor in sustaining internal conflicts; these may be economic networks (e.g. smuggling), ethnic or religious networks or criminal or terrorist networks. External state actors can also fuel a conflict directly or indirectly.

#### Conflict Triggers

Windows of vulnerability – events that threaten to fundamentally change the balance of economic or political power:

<sup>&</sup>lt;sup>4</sup> Conflict Assessment Framework, USAID January 7, 2002

- Elections
- Changes in distribution of power (e.g. decentralization)
- Economic shocks
- Assassinations, riots, etc.

Changes in the balance of political or economic power are particularly likely to be triggers of conflict when political power is the main route to economic power or where established monopolies are upset at local or national levels. The problem is the mobilization by elites of violence to preserve or to compete for power.

Implications for Iraq

Identify one or two of the most important root causes & bring resources to bear as that cause manifests itself along the causal chain (motive-means-opportunity-external).

#### Motive

There are many motives for violent conflict in Iraq. These include political and economic grievances and the interests of conflict entrepreneurs. One of the motives clearly present is relative poverty (especially amongst men employed by the previous regime). This overlaps with a youth bulge - i.e. a disproportionate share of 15-25 year olds in the population. At the same time, identity (e.g. tribal or religious) may provide a motive for violence as political leaders exploit fears of losing out in the new political dispensation.

#### Means

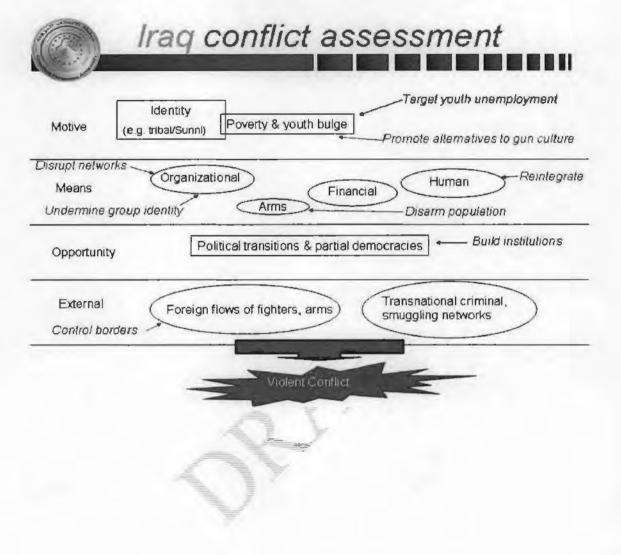
In order for violence to be any other than sporadic or localised, leaders need to be able to recruit, arm, finance and organize fighters. Organizational structures include networks of former regime military or intelligence personnel; tribal structures; religious structures (e.g. the Wahhabi movement) or political parties. Studies have shown that a very high level of ethnic fragmentation corresponds to a lower level of violence due to the difficulties in coordinating action even on shared grievances across groups – perhaps reflecting the validity of the old imperial concept of divide and rule. The other means (arms, finance, recruits and warfighters) are in ample supply in Iraq.

#### Opportunity

State and societal institutions can address or exacerbate root causes; they can block access to conflict resources; they can constrain elite behavior; and they can manage international pressures. Unfortunately, Iraq has been left with very weak state institutions in this phase of political transition. Of 152 countries studied over 50 years, partial democracies are four times more prone to civil war than democracies. The main issue driving recent civil conflicts has been contention for state power in the aftermath of efforts to democratize autocracies. Most violence has been by entrenched political elites seeking to hold onto power, often by inciting violence on ethnic lines. These types of conflicts have been associated with 50% more deaths and refugees than conflicts based on demands for autonomy or secession.

#### External

In addition to the obvious problem of external state intervention (in Iraq's case this would include covert Iranian intervention), Iraq suffers from being in a bad neighborhood, with porous borders.





# COALITION PROVISIONAL AUTHORITY BAGHDAD

#### INFO MEMO

DATE October 18 2003

FOR:

THE ADMINISTRATOR

FROM:

Office of Policy Planning (OPP)

SUBJECT:

Priorities for the next 90 Days of the Strategic Plan

You asked for a fresh and independent look at the next 90 days. We started from our lessons learned in our recent 'synchronization' exercise. The exercise demonstrated that linkages and dependencies do exist across our sectors. From these, priorities are emerging. We also assessed that our future plans may require adjustments to alleviate overlapping areas of risk. Our modeling is not yet able to provide the predictive analysis we would like for quality decision-making but enough evidence does exist to suggest a set of priorities:

#### Governance:

- Ensure that the necessary decisions are taken about the constitutional and election timetables. Several tasks in the plan are relevant.
- Develop Policy for Local Governance. Governorate teams (GTs) are in place, but most local governance activity is led by CJTF-7. As we empower Iraqis and reduce the military presence, we need an interim policy framework for local governance and a rapid build-up of GT capacity. This is particularly true for security and public safety. We should develop a policy framework for local governance and ensure that GT staffing is accelerated. In addition, you should support the initiatives by the Office of Policy and Planning in November to lead in the development of integrated plans and policy across all the five core foundations between the national and governorate levels.
- Develop Anti-corruption and Vetting Processes. This is a priority in the Plan if we are to build durable institutions of government that enjoy public confidence and forever eliminate the machinations that produce fear as a tool of power. Public sector reform and civil service training programs must become a priority not a secondary effort. We cannot duck these issues: the down side that some officials (eg judges) may have to be removed argues against delay. We should plan and deliver the government-wide Inspector's General's office and Anti-Corruption Commission.

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#### Security:

- Defeat internal armed threats. You will wish to satisfy yourself through regular review that all necessary steps are being taken to make progress towards this critical objective. We should integrate reviews of progress towards the CJTF-7 campaign objectives in our regular briefings to you.
- Establish police training programs. The most urgent security priority is to begin the
  basic mandate course for police training in Jordan and possibly also in Iraq, and to put in
  place a sustainable recruiting campaign. This will require rapid action on the preliminary
  steps, ranging from build-out of the academies and deployment of international police
  trainers. We should devote sufficient resources and effort to ensure this program
  proceeds on schedule.
- Integrate Security Sector Planning. We lack an overall strategy. The development of civil governance mechanisms is falling behind. Challenges include: defining roles and accountabilities; ensuring that the security forces develop in a balanced manner; and demobilizing/integrating political militias. Better budgeting would help avoid problems such as FPS lay-offs and pay-cuts. Integrated planning should also identify synergies between the various recruiting efforts. We should designate and empower a 'security sector coordinator,' produce an integrated strategy, and pursue the integrated planning process that we have begun. Policy and planning needs to be coordinated at staff level between SA/NSD, MOI, MOJ, MFA and CJTF-7; building Iraqi capacity, for instance, by establishing the NSAC.
- Build Public Safety and Justice Capacity. Further rapid development of ministry
  capacity is critical to security and stability. Front-line targets such as police recruiting
  and training, and re-opening of courthouses are important, but the ministries lack the staff
  to build capacity for policy, management and administration, while also conducting
  operations. We should provide the staff and infrastructure for both ministries to
  accelerate their programs. An accelerated program of mid and senior level staff
  recruitment, using both Iraqis and expatriates, should be implemented for MOI and MOJ.

#### **Essential Services:**

- Set Up Project Management Office and Issue Contracts Funded from the Supplemental For delivery of essential services, electricity in particular, the most important task is to ensure that the PMO operates in an effective, timely way to get necessary contracts in place by January. Next year's goals for power output will otherwise be at risk.
- Shift Oil for Food Contracts to the Ministries by the end of November. Essential services, especially electric power, have the largest volume of outstanding contracts. Their timely delivery will be key to keeping the fall maintenance program and infrastructure projects on schedule. You should be prepared to intervene to ensure the smooth transfer of the over \$3 billion of OFF material to CPA control.

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#### Economy:

- Prepare Policy to Liberalize Refined Oil Product Prices We need to plan for and soon
  implement fuel price liberalization. We are currently repeating the mistakes of Russian
  policy makers in 1991; substantial resources are being wasted on implicit fuel price
  subsidies (\$4.9 billion per year). We need to develop a policy, discuss it with the GC,
  initiate a program of public awareness, and prepare to increase prices for gasoline and
  diesel as early as January 1, 2004.
- Implement a Program to Charge and Collect for Electricity Businesses and households need to pay for the cost of power so as to reduce demand and the need to allocate power through rolling blackouts. We need to start designing and setting up an electricity regulatory regime and billing and collection system, including the installation of additional meters, and create a pricing structure to recovery costs in preparation for billing in the first half of 2004.
- Monetize the Public Distribution System (PDS) for Food Program The PDS is to be
  monetized by July 1, 2004. To meet this deadline, we need to design a program to
  distribute payments, begin making changes in the food supply chain, begin discussing the
  new system within the GC, and initiate a public discussion of the new system within the
  next 90 days.
- Start to Corporatize State-Owned Enterprises. While less politically sensitive than
  privatization, the process of operating SOEs on a commercial basis (corporatization) is an
  essential first step and has important economic efficiency consequences in its own right.
  We need to continue to develop plans for restructuring and corporatizing SOEs,
  including for the oil and electric power industries, and decide a common policy on
  severance packages and buyouts for employees.
- Ensure Successful Completion of Currency Exchange. We need to continue to manage the process of bank note conversion; and to encourage, monitor and support, as necessary, central bank intervention in foreign exchange auctions, to preserve the value of the new currency.

#### Strategic Communications:

• Improve Strategic Communications. Maintaining Iraqi support – through honest, clear and timely communication – and winning further international support are vital to all that we are trying to do. There is broad staff consensus, you should formally authorize Strategic Communications as a fifth Core Foundation of the Plan and then resource the reorganization of the office to support an information campaign.

#### UNCLASSIFIED

#### Other:

• Improve the planning and reporting process. The process should give you a regular review of progress and early warning of major policy, resource and organizational decisions and risks to the Plan. At the working level, it should help to improve coordination. The process could be strengthened as a decision support and management tool if it included: monthly progress reviews, priorities and risk assessments. We shall propose a more formalized process and structure – to include a reorganization and alignment of the various "players" in the CPA planning team. The first priority should be to create a principals committee aligned with the five core foundations.

#### POINT PAPER

Subject: Creating a New Iraqi Army Faster

#### Discussion:

The new plan is driven by the political necessity to place Iraqi military forces in the field to replace/augment US and other Coalition forces as quickly as possible. It calls for the creation of 27 NIA battalions formed and deployed, along with small Navy and Air Force units by 1 September 2004 (2 months before the US Presidential election).

The new plan does not address the mechanisms the USG will need to have in place to ensure this new, hastily fielded military force does not fail operationally or revert to its historical role of coup maker and regional aggressor. One proven mechanism of control, sustainment, and influence is the use of a small cadre of US military personnel in combination with contractors (former military and DoD civilian employees) to perform critical doctrinal, organizational, training and logistical tasks so the USG maintains continuity of effort. Within the framework of the new plan and with the view of maintaining a NIA that will not subvert US policy interests in the region, the following recommendations and their rationales are provided:

- Using contractor and military personnel, establish a doctrinal and training development capability, similar to the US Army's Training and Doctrine Command.
  - Rationale: The NIA currently has no doctrine or training development capability and they will need this capability if they intend to evolve into a truly national army. Uniform, national-level standards for doctrine and training can be maintained.
- Create a national-level, centralized military school in the Baghdad area, staffed initially by contractor and military personnel that provides officer, NCO, and MOS training. The school will also provide English language training, both basic and advanced, for personnel going to the U.S. for schooling. Transition to the NIA in 2 years.
  - Rationale: Provides a uniform, national level standard of training. Serves to instill in attendees the culture of acceptance of civilian control and the need for religious and ethnic diversity. Allows US/Coalition to mold the collective thinking of the officer/NCO corps of the NIA.

- Assign contractor and military personnel to the newly formed battalions to serve as garrison advisors.
  - Rationale: Provides unit level control, sustainment, and coordination of US/Coalition supporting arms, particularly US air forces; and also provides a source of unilateral intelligence on the NIA.
- Establish mobile training teams made up of contractor/military personnel to deploy to garrison locations to provide sustainment and advanced unit training to deployed battalions. Establish and operate a unit sustainment system employing Combat Training Center-type concepts, technologies and processes.
  - Rationale: Provides tailored training to specific mission requirements and provides basic/collective training to units that have not undergone this training. Evaluates proficiency and reports findings to CMATT.
- Assign contractor/military personnel to assist in establishing and maintaining the personnel management systems of the NIA.
  - Rationale: Fielding NIA maneuver units without these systems will result in assignment by traditional Middle Eastern favoritism, inappropriate/improper personnel management and assignment, non-merit based promotion practices, waste of training funds/efforts, loss of skilled personnel, personnel turbulence, and lowered morale, confidence and cohesion.
- Assign contractor/military personnel to assist in establishing and maintaining the finance and medical systems of the NIA.
  - o <u>Rationale</u>: Fielding NIA maneuver units without these systems will result in operational chaos and low morale.
- Assign contractor/military personnel to assist in establishing and maintaining the communications systems of the NIA.
  - o <u>Rationale</u>: Fielding NIA maneuver units without these systems will result in operational and garrison chaos.
- Assign contractor/military personnel to assist in establishing and maintaining the NIA base support and tactical unit logistical systems until such time as it is prudent and safe to transition these functions to the Iraqis.
  - Rationale: Currently the newly formed Iraqi battalions and their designated bases have no logistical system to support them and they will be unable to rely on ad hoc or Coalition systems after US ground forces

are removed from Iraq. Without functioning and centrally controlled base support and logistical systems, the NIA will not be able to function on its own. Furthermore, if the US controls/monitors these systems with embedded contractor personnel, the US will be able to strongly impact the ability of the NIA or any of its component organizations to conduct sustained actions or operations.

The above recommendations are based on proven experience building military forces in the Middle East and a clear appreciation of the need to provide continuity, sustainment for, and influence over the NIA once US/Coalition force levels are reduced. The mechanisms for this residual control are the CMATT and contractor advisor/trainers. Without them, the NIA and other Iraqi military forces could evolve along lines inimical to the national interests of the US.

# IRAQ CIVIL DEFENSE CORPS (ICDC)

The ICDC is a security force that is designed to be capable of undertaking military operations such as patrolling, identifying and preventing or reacting to IED and VBIED attacks; cordon and knock operations; fixed site security; route/convoy security; disaster response; and crowd and riot control.

CPA is the Executive Agent for budgeting and policy planning for the ICDC. The Commander of Coalition forces is designated by CPA as responsible for recruiting, training, organizing, and controlling the ICDC. ICDC forces are trained by and operate under direct operational control of the various Coalition divisions.

CJTF7 FRAGO 1121 released on 22 November directs the accelerated training of 36 battalions (approx. 40,000 personnel) no later than April 04, as compared with the previously planned endstate of 21 battalions. This expansion is CJTF7's top priority for standing up Iraqi security forces.

The DoD FY04 supplemental includes \$76 million for the ICDC. Divisions are using bridging funds for ICDC salaries, subsistence, O&M and other costs through approximately mid-January, when funds from the supplemental are projected to become available.

ICDC battalions are opcon to their respective Coalition division HQs but will be given increasing command and control responsibility as they become capable of handling it. The numbers of ICDC battalions assigned to each Coalition division have been determined on the basis of span of control concerns for division commanders. Once New Iraqi Army battalions begin to come under CJTF7 operational control beginning in April 04, this control problem will become increasingly complex. Therefore, Coalition divisions have been directed by CJTF7 to train ICDC to operate independently so CJTF7 can absorb the New Iraqi Army battalions.

The following table shows the number of battalions and brigade HQs that each Coalition division has been given responsibility for creating:

Division	# of Bns (NLT Apr 04)	# of Bde HQ (NLT end- Jan 04	
1AD	7	2	
101st AA	5	1.	
4ID	8	2	
82 ABN	6	2	
MND(CS)	4	2	
MND(SE)	5	1	
3COSCOM	1	0	

# Recruiting and Training

ICDC forces are recruited largely by US forces who are designated by their division commanders with this responsibility.

- Instructors currently come from the ranks of division units.
- CJTF7 is preparing an RFF for drill sergeants from US-based units to provide supplemental trainers to assist it in meeting its objective of standing up 36 battalions of ICDC.

Typically, units will target certain towns or cities and will attempt to gain publicity to attract recruits either as part of patrols or as specific recruiting events.

- In the 82 ABD, 2-5 Field Artillery conducts "roadtrips" to screen recruits. For 3ACR, 2HWB has recently performed the same mission.
- The 101<sup>st</sup> operates a Veterans' Employment Office in Mosul that has so far hired over 5,000 former Iraqi soldiers for various security and other jobs and also is continuing to recruit for the ICDC.

Approximately 11,000 ICDC personnel have received initial training and are on duty. Coalition divisions continue to train ICDC recruits in company and platoon operations.

- 4ID has over 3,000 trained ICDC personnel on duty and has another 330 currently in training.
- The 101<sup>st</sup> AA graduated its second ICDC Professional Leadership Development Course class on 26 Nov, graduating 14 NCOs and expanding the professionalism of the NCO Corps.
- MND CS is focusing on accelerating the delivery of equipment for ICDC and Border Police.

# **Operations**

Coalition divisions are employing ICDC forces on a regular basis in their ongoing operations.

# 82 ABD:

The 82nd has at least two companies of ICDC providing static security.

# 101st AA:

- ICDC or Iraqi police are manning 303 of the 349 fixed sites that the 101<sup>st</sup> is currently securing. ICDC forces also are providing fixed site security at operational objectives to prevent smuggling and looting of ordnance and munitions. This is freeing up US soldiers from some static security missions.
- Shortly before midnight on 25 Nov, an ICDC patrol under 101<sup>st</sup> opcon reported individuals loading weapons into a blue BMW in central Mosul. The ICDC patrol moved to the site and detained four personnel. A search of the residence found passports from Syria and Saudi Arabia, visas from Egypt and the UAE, Ministry of Health and Interior identification cards, and airline tickets from Riyadh, Cairo, and Dubai. 2 BCT will maintain security at the house.

## 4ID:

- All BCTs continue to conduct joint raids, patrols, and supervise fixed-site security with INP and 3,229 trained ICDC soldiers, and continue training 330 ICDC recruits IOT establish three brigades.
- In Diyala Province, 2BCT, Baqubah, civil affairs personnel met with members of the Baqubah City Council, the Diyala Provincial Council, the Police Department, and ICDC officials, all of whom expressed their outrage at VBIED attacks.

### 3ACR:

 1HWB is engaging the local police and ICDC to ensure they participate alongside friendly forces in Phase III of RIFLES BLTTZ.

The professionalism of the ICDC is so far of uneven quality.

- The ICDC battalion commander under 82 ABD quit recently for unexplained reasons and was replaced by the deputy battalion commander.
- On 25 Nov, 101<sup>st</sup> AA 1 BCT apprehended a member of the ICDC suspected of involvement in the recent IED attack at the Qayyarah oil refinery. He has been transferred to the Brigade collection point for questioning.
- Coalition divisions have had various instances in which they have had to expel some ICDC personnel for corruption and are continually monitoring ICDC personnel for indications of involvement in corrupt activities.

# INTEL ISSUES FOR THE SISG

- 1. The functions of INIS.
- 2. Does INIS have the right to arrest?
- 3. Does INIS report to the MOI?
- 4. INIS and Police Special Branch/Police Intel.
- 5. Who sanctions special ops (intercepts etc) A judge/the minister?
- 6. Counterterrorism who does what? INIS and CT. INIS and the use of force.
- 7. The status of MILINT? Is it under MoD? Who collects for the MoD/JFHQ?
- 8. Who will receive Coalition/US milint support during the coming years?
- 9. Who is responsible for COMSEC?
- 10. Who is responsible for SIGINT
- 11. Who is responsible for CI in foreign missions?
- 12. Who owns vetting?
- 13. Who represents Iraq in relations with foreign intelligence agencies?
- 14. Coordination mechanism. The roles of ministries, the cabinet intelligence staff (if there will be one) and the services vis-à-vis the intel requirements and the monitoring thereof.
- 15. Who is responsible for the final analysis of intelligence? Is there a national analysis capacity?
- 16. Oversight of the Intel services (executive, judiciary, parliamentary)
- 17. Intel and TAL



# <u>Iraqi Intelligence</u> Structures, Functions, Coordination, Oversight



# Contents

- The Current Situation
- What functions?
- · What Services?
- Subordination
- Coordination
- Oversight
- Plan until July 1st
- Issues post July 1st



# Current capacities

- · INIS
- Military Intelligence Capacity
- MOI/Police
- MOJ
- Militias
- CT Units
- Political Parties' Intelligence

# **Problems**

- INIS being set without coordination
- CPA & CJTF-7 activity driven by the shortterm requirement
- No tradition of civilian apolitical intelligence in Iraq
- Political parties aimed to use Intelligence Services for their political purposes
- Lack of suitable personnel + vetting problems
- Various entities with Intel capacity exist that were meant for short term existence



# Goal

# GOALS:

Design policy, structures and build apolitical, civilian Intelligence services.

Establish **legal framework** for the services that would guarantee respect for human rights and democratic principles

Create an **Oversight mechanism** for the Services



# Intel Functions

- Counterintelligence
  - Active
  - Defensive
- Military Intelligence
  - SIGINT
  - COMSEC
- Foreign Intelligence
  - Political
  - Economic
  - Military



# Principles

- No duplication of functions
- One, clearly determined national authority for each function
- No concentration of powers under one Ministry
- Coordination between services
- Clear tasks and requirements



# Division of Functions

Mar.			
CI	INIS		MOI
CT	INIS		MOI
Internal threats	INIS		MOI
FI political -	INIS/MI Liaison		Coalition
FI economic	None		
MILINT	J2/Mil Int Service	MOD	
- Tactical	J2		<b>JFHQ</b>
<ul> <li>Operational</li> </ul>	J2		<b>JFHQ</b>
- Strategic	MI Service		MOD
SIGINT	MI Service		MOD
COMSEC	MI Service		MOD
Vetting	MI		MOD
	CT Internal threats FI political - FI economic MILINT - Tactical - Operational - Strategic SIGINT COMSEC	CT INIS Internal threats INIS FI political - INIS/MI Liaison FI economic None MILINT J2/Mil Int Service - Tactical J2 - Operational J2 - Strategic MI Service SIGINT MI Service COMSEC MI Service	CT INIS Internal threats INIS FI political - INIS/MI Liaison FI economic None MILINT J2/Mil Int Service MOD - Tactical J2 - Operational J2 - Strategic MI Service SIGINT MI Service COMSEC MI Service



# Subordination

- A service is headed by a Chief
- Chiefs are appointed by the Cabinet with the Minister's proposal and Parliamentary Committee's approval
- The Minister has oversight of the use of Services budget
- The Minister has no right to interfere in the operational matters of the Service
- The Ministry sets requirements to the Service which are then approved by the NSC
- Searches, phone intercepts etc need a warrant by a Judge



# Coordination

- There is an Intelligence Coordinating Staff under the NSC
- The Services cooperate and coordinate regularly though the NSC (policy) and its Intel staff (ops)
- Services have an obligation to pass on intelligence to the National Authority of the corresponding function
- There are National Requirements for the Services set by the NSC
- There are National threat assessments
- The Chiefs of Services attend the NSC meetings
- The Prime Minister is responsible for the national security in general, the Ministers are responsible for their field



# Oversight

- Executive
- Parliamentary
- Judiciary

- Executive by the Cabinet and the Minister
- Parliamentary by the Oversight Committee
- Judiciary trough the warrant system



# Executive

- Statutes of Services
- Budgets
- Audits
- Setting the requirements
- Overseeing the fulfillment of requirements
- Appointing and relieving the Chiefs
- Ministerial appointments of Deputy Chiefs



# Parliamentary

- Budget approval
- Approval of the appointments of Chiefs
- Drafting of relevant legislation
- Overseeing general with human rights and democratic principles by the services



# Judiciary

- Warrants for home searches, communication intercepts (i.e. legal Human rights violations)
- Trials of intelligence officers committed criminal offences



# Ombudsman

- Investigates all claims by Iraqi citizens on violation of their rights by the Services
- If violation is identified presents the case to the court
- Reports to the Parliament



# **Basic principles**

- The Services are apolitical
- The Services honor human rights
- The legislation and the statutes of the Services are public documents
- The names of the Chiefs of Services is public information
- The Services members have no political party affiliations



# Situation July 1 2004

- INIS operational
- J2 IOC
- MILINT IOC
- MOI & MOD officials (min 3+3) trained for Intel policy/oversight
- Coordination cell/NSC minimal Intel staff working
- Basic principles in the Fundamental Law



# Action to achieve this

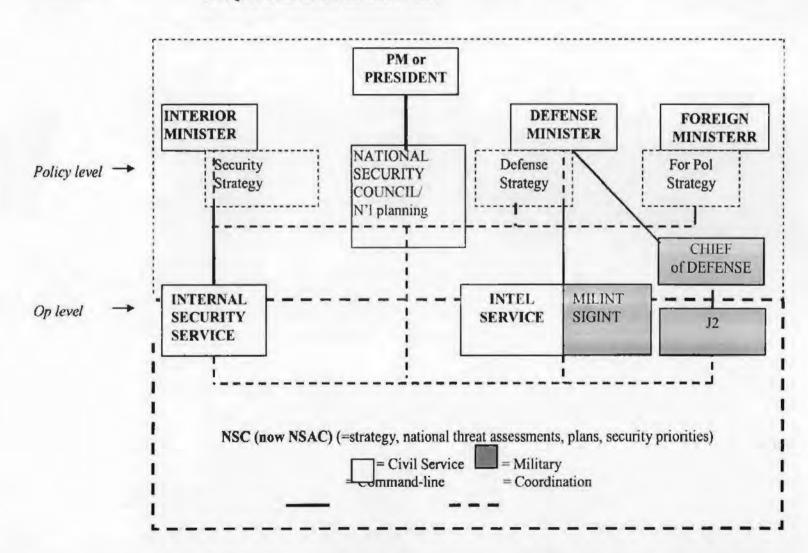
- Select and train INIS leadership
- Select and train key personnel for J2/MILINT
- Select and train Intel personnel for MOI & MOD
- Start national coordination cell/NSC Intel staff
- Set up a vetting department at the MOD/MOI
- Draft legislation including relevant part of the Fundamental Law on oversight and coordination
- Consultations with Iraqi leaders on Intel Services: democratic principles, oversight, functions.



# National Intel Structure

PROPOSAL/DRAFT

IRAQI INTELLIGENCE SERVICES



# Iraqi Intelligence Services Structure, Functions, Oversight

**ENDSTATE CONCEPT** 

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# SUMMARY

# This paper:

- presents the functions required of the Iraqi intelligence services;
- · proposes what Intelligence Services are needed in Iraq;
- proposes what functions should be offered by individual services;
- · proposes a subordination, coordination and oversight system

The following text offers a framework for the development of Iraqi Intelligence Services. An attempt has been made to address those issues that require executive (or parliamentary) level decision-making. Proposals have been made with regard to the experience of several Western and East-European post-communist nations.

# **I INTRODUCTION**

A well balanced, apolitical and well-targeted intelligence services structure with a functioning national intelligence cycle is needed to achieve good intelligence. The current critical security situation in and around Iraq has forced the Coalition Authorities to actively deal with everyday urgent intelligence gathering and execution issues. As of early November 2003 there has been no Government-wide effort to plan for the structure of Iraqi intelligence services, define their functions and interrelationships, nor has much thought been given on establishing the oversight machinery of I&SS.

This paper attempts to start such a process.

According to current plans Iraq will have a rather limited direct defense capacity. Being surrounded by several potentially hostile neighbors and facing significant internal security threats, good intelligence is critical for Iraq in years to come to take preventative measures in foreign, internal and defense policy-making. Iraq's security cannot be protected without a system of intelligence collection and a reliable mechanism to channel it to the decision-makers. It is therefore in the interest of Iraq and all its partners to turn serious attention to the establishment, organization, coordination and quality of its I&SS. Long-term planning of the I&SS is one of the keys to the security of future Iraq.

The primary functions of I&SS are to collect, process and disseminate the information required by State leadership to appraise the internal and external security situation and to make necessary policy decisions.

Because of the secret nature of any intelligence work there is always a dilemma in the democratic world of effectively protecting and pursuing national security interests without violating basic human and political rights of the citizens. Various oversight mechanisms have been worked out to balance between these two vital but at times contradictory interests.

Especially in Iraq where there is a long tradition of secret societies, political persecution and misuse of I&SS purely for the political aims of the leadership, a rapid build-up of civilian I&SS, civilian control and oversight is needed. At the same time Iraq cannot afford weak I&SS facing tremendous current and future security threats.

A successful buildup of professional and effective but civilian, ethical and apolitical I&SS in Iraq is one of the cornerstones of creating environment for a long-lasting democracy in this country.

# II Present Situation

Right now, responsibility for intelligence work is being shared among different ministries, Coalition entities and CJTF-7. While this must suffice in the immediate term, the overlaps and undercoverage that such an arrangement creates is hardly ideal in the long-run. Ultimately, Iraq's intelligence services must be consolidated under two ministries (the MoD and the MoI), with clearly-defined roles for the services subordinate to each.

### INIS

Work has started on creating an Iraqi Central Intelligence Service. The CIA has taken the lead in this and so far little is known on the planned functions of this Service. Currently it seems to emphasize short-term counter-terrorism and counter-insurgency collection and security operations as well as counter-intelligence operations. Members of former Iraqi services have been used as operational assets and agents.

# Militias

There is special counter-insurgency battalion created under CJTF-7 guidance in the ICDC framework. It consists of G-5 militia and intel personnel. Each party has given 108 troops. The intelligence capacity of all these parties as well as the Coalition is used by the battalion of sorts. There are hints that this battalion would be attached to the INIS.

There are Int sharing arrangements between G-5 militias and CJTF-7?

# Military Intelligence Capacity

Intelligence components are planned for the JFHQ of NIA (J-2),ICDC staffs (tactical level, C-2), MoD (oversight, requirements, analysis). This planning is taking shape under CJTF-7 C2, CMATT and OSA lead.

Currently various military task-forces and units (i.e. C2, TF 121) under CJTF-7 command conduct counter-terrorism and counter-insurgency operations and tactical and operational intelligence collection. These units and task-forces do not have a planned future in sovereign Iraq as independent services. It is however most probable that most of their functions and some of their assets will be handed over and merged into the emerging Iraqi Military Intelligence apparatus.

A handover plan needs to be developed.

# Intelligence functions under MOI

A criminal intelligence unit and a counter-terrorism unit are planned in the national Police structure. The criminal intelligence unit will act as the national center for criminal intelligence policy and operations against major criminal threats. The unit will host the link to Interpol and other intelligence sharing arrangements (e.g. Arab Interior Ministries, Europol). The anti-terrorist branch is a specialist unit that will serve as the national center of expertise on terrorism and will lead major terrorism operations.

So far not much has been achieved in practice. ("The full development of a criminal intelligence capacity will take us way beyond July 2004")

The proposed structure of the MOI foresees a "Central Intelligence" which will not be under the control of the MOI but would support the MOI in policy making and operations. This is a question for discussion but it seems that the logical place for the Domestic Intelligence Service (INIS) would be as an independent Agency under the MOI supervision and oversight.

There is some, mostly tactical, Intelligence capacity in the Border Enforcement Units. This is a specific capacity that would stay with the Border Protection. Some information exchange channels between Border protection and Internal Intelligence Service/Counter-terrorism Units will have to be developed.

MOI - Doug Brand - has been exploring the Special Branch model, a SB advisor is being requested for January.

# MOJ

Ministry of Justice is currently pursuing an Anti-Corruption program (Iraq Governmental Integrity and Anti-Corruption Project). There is a proposal to create an Independent Anti-Corruption TF that would stay under Coalition control even after 1<sup>st</sup> July 2004.

There remains the question which Iraqi service/agency will take responsibility for anti-corruption intelligence and ops after the Coalition leaves and security agreements expire. This needs to be discussed and corresponding preparations started. Especially in Iraq this Government Agency will have critical influence on the success or failure of Iraqi democracy.

### **CT Units**

It should be noted that counter-terrorism executive action units have also been created by the CJTF-7 and probably in the INIS. The CJTF-7 units are being formed from the G-5 militias (ICDC Special Bn and CT company). It remains to be seen how these forces will ultimately been disposed of.

# III Implementation and Division of Required Functions

# 3.1 The issue of enforcement

In the most general terms, the function of the I&SS of western nations (regardless of the choice of model) is to collect and analyse intelligence from either other states or from opponents of the state. The difference of two basic models is in enforcement. In the first model, popular in most western countries the Internal Intelligence service does not have the powers to arrest and prosecute. In the second model, seen especially in post-communist Europe the Internal Services tend to have the police function as well. In both cases the I&SS are also responsible for the protection of classified information and those individuals dealing with said intelligence from threats posed by foreign secret service agencies and other threats (i.e. counterintelligence).

There has been no real discussion on the choice of model for Iraq. The first model would directly mean that no secret service organization would have use of police or special forces functions and these would have to be fulfilled respectively by the criminal police and armed forces. For example, this type of system has been developed in the UK, Germany, Scandinavian countries etc. However, the current security environment in Iraq would suggest it employ the second model at least until the Emergency is over.

# 3.2. Division of functions

State runs intelligence services with three basic goals:

1, to protect the State from dangerous and secret internal and external foes (opponents of the State, extremists, organized crime, terrorism, active espionage operations, etc);

2. to satisfy its interests and prevent threats through collection of intelligence (foreign

policy, defence policy, state defence, economic interests) and

 to protect information that requires concealment in the interests of the State (espionage of foreign countries, communications security, personal security controls, security of buildings, etc).

It is the role of intelligence services to operate in the name of these goals. To attain these goals held in great regard by every independent state, the intelligence service organizations of the world have developed many rather narrow and specific areas of activity. These areas of activity are quite universal, but the agencies that bear the responsibility to carry out these activities vary from state to state. It is understandable that in larger or more economically developed nations intelligence services have far more complicated and multifaceted tasks than those of weaker, small nations. Yet basic state interests are protected in all.

The following section briefly describes the most important areas of activity (i.e. functions) of intelligence services and will clarify why and under whose jurisdiction said activities should belong in Iraq. Iraq is not sufficiently wealthy to divide one function amongst several services. Furthermore, the duplication of functions was a

typical method of Saddam's regime to control services forcing them to compete and double-check each others activities. In a democratic country this would constitute an unnecessary waist of resources and cause for confusion. What is needed is one, clearly determined national authority for each function with the obligation of other services to assist the national authority if needed and pass on relevant information.

# 3.2.1 COUNTERINTELLIGENCE (CI)

CI can be divided into active and defensive CI, in which the bulk of active CI consists of monitoring foreign nations' espionage organizations, their compatriots and cooperators as well as the identification and exposing of agents. Additionally, it includes varied work with agencies, the organization of counter-espionage operations of foreign countries and electronic CI. Defensive CI is the defense of one's state structures, individuals and intelligence against enemy espionage or, in other words, the creation of the most uncomfortable conditions possible for enemy espionage in one's country (physical security, individual background checks, communications security, etc). Most CI usually occurs within one's own state borders.

Active CI in Iraq will be carried out by the Iraqi Intelligence Service under the Ministry of Interior. The Iraqi Intelligence Service should also responsible for the most of the defensive CI functions such as the protection of classified information, vetting and issuance of security clearances (except for the Military). Defensive CI for the Military should be the responsibility of J-2 of the JFHQ/MI Service

# 3.1.3. Communications security (COMSEC) 2 and Signals Intelligence (SIGINT)3

COMSEC is an integral part of CI, though as an essentially service/assistance function, the agency under whose responsibility it falls does not necessarily have to be part of a CI agency. In many nations, responsibility for state communications lies in the hands of non-CI agencies (in the UK, MI5-Cl and GCHQ-communications). In Iraq, COMSEC should be the responsibility of one agency. This is especially important avoiding establishment of non-compatible crypto systems in different agencies. Iraq has a unique chance to establish a nationally integrated secure comms system. This can become a reality provided there will be a national authority

<sup>&</sup>lt;sup>1</sup> Information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted by or on behalf of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities

<sup>&</sup>lt;sup>2</sup> The protection resulting from all measures designed to deny unauthorized persons information of value that might be derived from the possession and study of telecommunications, or to mislead unauthorized persons in their interpretation of the results of such possession and study. COMSEC includes: eryptosecurity, transmission security, emission security, and physical security of communications security materials and information

<sup>&</sup>lt;sup>3</sup> A category of intelligence comprising either individually or in combination all communications intelligence, electronic intelligence, and foreign instrumentation signals intelligence, however transmitted.

determined early on with responsibility of setting national standards for ciphers and other comsec.

Considering the urgent need of crypto and comms security in the NIA/counter-insurgency activities, the national authority for COMSEC should probably be a Military Intelligence Service (see below). It might give the Defense side of the Government a little too wide access to the civilian side comms but, on the other hand, the MOI with the Police, counter-terrorism capacity and Internal Intel Service under it is almost too powerful anyway. To avoid uniformed military handling Civil Service COMSEC there should be a civilian agency nationally responsible for COMSEC established under the MoD.

In some countries the agency responsible for COMSEC is not responsible for SIGINT. (SIGINT relates to COMSEC the same way as intelligence collection relates to CI). The most frequent user of SIGINT is usually the defense structure. Because of this, many nations have placed their SIGINT agencies under either MI Service or as separate units within the Armed Forces (Finland, Germany). At the same time, SIGINT product is necessary for security policy making, CI and the work of other agencies. With this in mind, and in the interest of lessening the overly military aspect to SIGINT, many countries have chosen to create independent civilian SIGINT agencies that provide necessary information to all relevant Government agencies. (Great Britain-GCHQ, USA-NSA, Sweden-RFA, Russia-FAPSI).

Iraq, considering its relatively limited future defense capacity, would need well developed strategic and operational SIGINT capacity. For practical reasons it would make sense to keep COMSEC and SIGINT collection as technically complicated and expensive functions under one national authority. Iraq is not wealthy enough to possess many competing SIGINT agencies. COMSEC and SIGINT functions as responsibilities of the MoD would also counterbalance otherwise very powerful Intel services under the MOI. This would also support the need for Intel Community cooperation while many SIGINT consumers are Civilian institutions.

In conclusion, the civilian Agency under MoD responsible for COMSEC should also be responsible for SIGINT.

(Phone intercepts and other COMINT needed for operational Police work is not reagarded as SIGINT in this context.)

# 3.2.4. Cl in Iraqi embassies and consulates (foreign Cl)

At this point it is not clear if any Iraqi Intelligence Service will have representatives at the Embassies (stations). If the Intelligence Service under the MOI is planning to have stations abroad it would make sense to give them the responsibility for CI at the Embassies as well. However, Iraq has a tradition of spying upon its own citizens abroad and the presence of Intel personnel at Embassies could cause misunderstanding among the Foreign Service. This is mostly a matter of informing and transparent policy but the issue needs to be addressed.

# 3.3. Foreign Intelligence<sup>4</sup> and/or Military Intelligence

The instinctive reaction of many Coalition members has been that Iraq should have no independent foreign intelligence capacity. However, there is no independent country with no foreign intelligence interests and at least limited collection. Considering Iraq's security environment and the balance of powers in the Middle East it is impossible to imagine sovereign Iraq not developing Foreign Intelligence capacity asap. The Coalition should therefore try to direct Iraq to a route of FI that would not be in conflict with Coalition's interests rather than prohibit this activity. (It is to some extent being done for the INIS). Iraq will be active in this as soon as she can.

# 3.3.1. Definitions/classification

Foreign intelligence can be divided into categories using the criteria of collection methods as well as type of intelligence gathered. The basic classification of foreign intelligence is by method dividing it into human intelligence (HUMINT) and technical intelligence (i.e. collection by technical means). It is possible to obtain all types of intelligence using both methods regardless of their more narrow assignments. Unfriendly activity HUMINT is traditionally considered the politically most delicate and as a rule unfriendly activity towards other countries. Many smaller European countries have therefore declared that they do not conduct HUMINT operations outside their borders.

The most common categorization by type of intelligence is political, military and economic intelligence.

The goal of political foreign intelligence is to supply the Government with information about possible threats and influences stemming from the political activity of a foreign country or its subjects. Political intelligence is considered necessary for the effective and adequate development of security, foreign and, to a lesser extent, defense policies.

Like HUMINT, political intelligence collection belongs to the grey area of international relations that could easily bring about international crisis. (Political FI is related to HUMINT more than other categories of FI) In addition, a strong argument can be made that a small country is unable to finance and run both, an extensive and effective foreign service and an effective foreign political intelligence (HUMINT) effort. A country can not be a member of International community without a Foreign Service and the foreign service should be able to inform its government on all necessary political developments abroad.

It seems wise, therefore, that at least initially Iraq will not develop extensive political foreign intelligence collection and especially avoid political HUMINT ops abroad. It

<sup>&</sup>lt;sup>4</sup> There are a lot of definitions. The classical official US one is: The term 'foreign intelligence' means information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, or foreign persons.

should rely upon its Foreign Service and friendly Intelligence Services (see Intelligence Diplomacy below) on obtaining political foreign intelligence.

This leaves us with Military and Economic intelligence

Military intelligence (MI) is used mostly by the armed forces and the Ministry of Defense. It is not possible to plan the defense of a nation without the use of intelligence. It is necessary to have an idea of the strength, attack capability, operation plans etc. of a potential enemy. Iraq must have at least some MI capacity.

By the extent of reach, MI can be divided into tactical (battle), operational and strategic intelligence<sup>5</sup>.

In all countries, the Armed Forces themselves are responsible for tactical intelligence with intelligence units and sections in Division/Brigade HQs and command responsibility assumed by the J2 of the JFHQ.

Operational intelligence regarding the placement of enemy units, weaponry, equipment, units, battle plans, etc. around the vicinity of Iraqi borders or, in short, enemy tactics, should be the responsibility of the J-2 of the JFHQ. Iraq might need, especially in the near future, assistance of Coalition in obtaining this intelligence.

Some problems might arise when addressing the issue of strategic MI. The goal of strategic intelligence gathering is to obtain information regarding the long-term military plans, doctrine and the general situation vis-à-vis the military and political situation of the opponent. The strategic MI is used by the State for creating general long-term defense plans, doctrines and security policy. It is evident that, in addition to the Army, the Ministry of Defense and other Ministries use strategic MI to a large degree.

The Coalition has been hesitant to decide about Iraqi strategic MI capacity. The de facto position of the CJTF-7 has been that the Coalition services will provide Iraq with necessary strategic MI and Iraq, at least for time being, should not have her own strategic MI capacity.

However, it is most probable that after gaining sovereignty Iraq will attempt to create independent strategic MI. Therefore, there should be at least an agreed Coalition thinking in this direction. Considering the delicate nature of strategic MI, possible use of HUMINT in collection and a relatively wide civilian consumership it is recommendable that strategic MI would not be given to the Military (i.e. J-2). A civilian Agency under the MoD should be responsible for this function. In this case it would he rational to give this Agency the SIGINT and COMSEC function as well. Especially while most staregic MI will be collected thru SIGINT means anyway.

Strategic intelligence: Intelligence that is required for the formulation of strategy, policy, and military plans and operations at national and theater levels. Operational intelligence: Intelligence that is required for planning and conducting campaigns and major operations to accomplish strategic objectives within theaters or operational areas. Tactical intelligence: Intelligence that is required for planning and conducting tactical operations. Also called TACINTEL

Economic intelligence<sup>6</sup> is an area of intelligence collection gathering on which both western and eastern nations on have placed increasingly more emphasis since the end of the Cold War. The goal is to obtain information with which it is possible to change the state economic competitiveness in the global market while uncovering possible threats stemming from the economic activities of foreign states. It should be the Coalition policy not to support Iraqi economic intelligence capacity. However, the possible development of economic counterintelligence needs to be addressed. This should be the responsibility of the Service nationally responsible for CI

# 3.3.3. Intelligence Diplomacy (liaison)

The Coalition is currently planning to serve as the main strategic intelligence provider for Iraq after 1 July 2004. At the same time it is obvious that Iraq, as any other sovereign nation, will aspire for independent Intel capacity. It is a matter of national pride that one is not dependent on other countries' intelligence even if these countries are your partners. The way intelligence is provided to Iraq should therefore be carefully planned. Feeling of inferiority and embarrassment on the Iraqi side has to be avoided at all costs.

Intelligence diplomacy is normally built on the principle of 'a bone for a bone'. Iraq has to feel that it is giving something back for the Intelligence that the Coalition will be providing. It is possible only if Iraq has independent Intel services. As soon as a state simply accepts favors and foregoes independent intelligence activity, the threat to become a mere extension of a large country's intelligence service increases and could result in a situation in which the larger stronger country begins to act through the smaller one, thus hiding its own role (acting under the flag of another). This will be the accusation in Iraq regarding main Coalition countries anyway. Only if Iraqi services do not feel this way can they deny the accusation believably.

Iraq will have rather intense relationships with several leading western nations on the intelligence agency level. Each Iraqi agency will attempt to develop its own foreign relations as is customary. Since the state dimension is very important in intelligence diplomacy, responsibility for this function needs to be determined. If there is a national intelligence machinery, a Joint Intelligence Committee or a National Security Committee, questions of Intel liaison should be under its supervision. This means that every agency should and must directly interact with its partners, especially in specific operations. The picture as a whole should be allocated to a national authority, whose role would be to avoid potential conflicts arising from individual efforts in foreign relations, try to avoid unfriendly competition among Iraqi services, keep intelligence foreign relations in harmony with the state's general foreign policy and, in this way, create an 'intelligence foreign policy".

<sup>&</sup>lt;sup>6</sup> Intelligence regarding foreign economic resources, activities, and policies including the production, distribution, and consumption of goods and services, labor, finance, taxation, commerce, trade, and other aspects of the international economic system.

# IV Subordination and Coordination

# SUBORDINATION

The intelligence agencies are there to serve the State. Especially in Iraq, this principle has no tradition. Here, intelligence services have always served the political group in power.

The Coalition's vision for strategic guidance for the services foresees that at the top (assuming that the Transitional Assembly moves in the direction of parliamentary government), national security strategy and decisions should come from a cabinet security committee (sub-set of cabinet) chaired by the head of government. This should be both codified and used in practice. Hence, the strategic decisions regarding the Services come from the cabinet level.

Intelligence Services should not, however, be directly subordinated to the Head of State. This could bring about a very similar situation to that under Saddam. Intelligence services should report to the cabinet through the appropriate ministers, i.e. the Minister of Interior and the Minister of Defense. (As stated above, intelligence services should not be concentrated under a single minister.)

The Minister should have administrative oversight of the respective services through certain control over the use of their budgets and a say in appointing the chiefs. But the minister should not have the right to interfere in operational matters as long as there is no doubt in their legality. The Chiefs of the Services should be appointed by the Cabinet not by the Ministers to give the chiefs a national versus ministerial status.

The structures of the Ministry of Interior and the Ministry of Defense have departments for Oversight of their respective services.

The Head of State has an overall responsibility for National Security but does not have direct command line to the Services. He/she has a coordinating function through a National Security Committee (with or without a central Intelligence machinery) and a command line to the Ministers.

# COORDINATION

Cooperation among intelligence services is paramount. There is always a tendency for intelligence services to compete among each other and duplicate functions. This can be avoided by determining (and codifying) national authorities.

Clear division of functions brings about even a more acute need for cooperation. It is important for the Services to be part of the National effort to protect the security of Iraq.

For coordinating the National intelligence collection, setting requirements and producing national intelligence assessments, the Cabinet should have a have a small permanent intelligence staff, a cabinet intelligence committee working under it. This

staff should be responsible for drafting the national intelligence requirements and serve as the staff fro the cabinet security committee.

The Chief of Defense and the chiefs of Intelligence Services should attend the meetings of the security committee.

Intelligence cycle<sup>7</sup>

One guarantee to keep Intelligence services apolitical is to make sure that there is a standardized system to set the intelligence requirements and a clear chain of reporting. This helps to avoid out of line orders by the ministers and tasks not in line with national requirements.

Setting the requirements for intelligence is a critical factor of the services' use in the interests of the State and not of the political parties. The Government/Cabinet, based on the feedback from the relevant ministries must formulate the information needs and these requirements must, in turn, drive the activities of the intelligence service. In a young bureaucracy it is often the case that the Intelligence Services start to task themselves. This should be avoided.

The level of demand for intelligence would allow the measurement and budgeting of services to be rendered.

The State should set the requirements approximately as follows:

The Foreign, Defense and Interior Ministries individually prepare documents that outline what intelligence each needs to complete its mission and has not been able to get from public channels. The Security Committee staff (or the Ministers) also forward the requirements to the intelligence agencies that, in turn, submit their collection plans and proposals for activities based on the orders. These are debated and then approved by the Cabinet Security Committee. The result is a list of National Intelligence Requirements which sets the priorities, tasks Services and forms the basis of measuring the results for the Intelligence community. The List of National Requirements is a living document but needs to be officially renewed at least once a year because its also the basis for budgeting the Services.

The cabinet intelligence staff is responsible for preparing the document preventing duplicate requests and attempting the balanced assignment of work between intelligence agencies.

<sup>&</sup>lt;sup>7</sup> The process by which information is converted into intelligence and made available to users. There are six phases in the cycle: a. planning and direction-Determination of intelligence requirements, development of appropriate intelligence architecture, preparation of a collection plan, and issuance of orders and requests to information collection agencies. b. collection-Acquisition of information and the provision of this information to processing elements. c. processing and exploitation-Conversion of collected information into forms suitable to the production of intelligence. d. analysis and production-Conversion of processed information into intelligence through the integration, analysis, evaluation, and interpretation of all source data and the preparation of intelligence products in support of known or anticipated user requirements. e. dissemination and integration-Delivery of intelligence to users in a suitable form and the application of the intelligence to appropriate missions, tasks, and functions. f. evaluation and feedback-Continuous assessment of intelligence operations during each phase of the intelligence cycle to ensure that the commander's intelligence requirements are being met

Budgets should be tied to the requirements and the corresponding volume of work required by the Cabinet.

The budgets of intelligence agencies should be presented in one line of the state budget under its respective ministry such as that of the INIS under the MOI etc. At the same time, it would be prudent to make the intelligence agency budgets independent of ministries and combine them into one. The state, in turn, would consider its budgetary limits, decide how much it wants to allot to intelligence and then divide that sum between the agencies according to the volume of work (in Great Britain the intelligence budget is decided in one vote, the so-called Single Intelligence Vote or SIV).

#### V Oversight

Intelligence agencies are inherently undemocratic and there is always a danger that democratic principles will be violated in the name of security.

The first step towards the creation of democratic control over intelligence agencies would be to avoid the creation of one, all-encompassing intelligence structure. In other words, the KGB syndrome must be avoided.

A second important principle is the demand for a completely apolitical organization. Intelligence agencies must not fall under the influence of any political party, as this could easily lead to totalitarianism.

In addition to establishing structural detachment and political neutrality, intelligence services in a democracy are usually monitored by three types of oversight: Parliamentary, Executive and Judiciary

The Parliament must create a legal framework in which the Services exist. In order to place the Services on a firm and unambiguous basis there should be legislation passed creating the system of authorization and accountability for the Services. Assuming that Iraq will be honouring the European Convention on Human Rights and other relevant treaties, the principles of internationally recognized human rights law should be integrated into this legislation.

The common model for parliamentary oversight is trough an oversight committee. This type of committee generally has two assignments; to monitor intelligence agencies so that democratic principles are protected and inform Parliament of the activities of intelligence agencies.

To this end, intelligence agencies make regular presentations of their activities to the ministries and the Cabinet Security Committee. The committee evaluates their work and makes a general report to Parliament. In some countries the Intelligence Services chiefs also are heard directly by the Parliamentary Committees.

The composition of the Committee is important. It would be an additional guarantee of neutrality if the Parliamentary Oversight Committee has equal representation of Coalition/Opposition and is chaired by an Opposition member.

On the other hand, the Parliamentary committee members should not have the ex officio access to operational files of the services. This prevents making members of parliament the administrators of intelligence agencies so as to avoid not only the impossible task of making the MP an intelligence specialist, but also to avoid the temptation to misuse information obtained in this role.

The Parliamentary Committee should also have a right to veto the appointments of Intelligence chiefs by the Cabinet.

Assessing the legality of specific operations must be the role of the judiciary. Especially the violation of right to private life, home and correspondence has to be sanctioned by a Judge (Other systems exist but in the case of Iraq the Judiciary is the best solution).

Executive oversight has already been outlined above and, first and foremost, this means the regular monitoring of requirements and their fulfillment. The Government must also establish basic statutes for the services, name their chiefs and determine their budgets.

To provide reassurance to the public it might be useful to establish an independent institution of an Ombudsman<sup>8</sup> or a Tribunal. The goal of this institution would be to enable everyone to complain if they believe their rights have been violated or abused by the Intelligence Services. The Ombudsman should have the obligation to investigate each claim.

<sup>8 &</sup>quot;Ombudsman" is a Scandinavian term for a government official who investigates citizens' complaints against the government or its functionaries.

#### ISSUES

- 1. Is there a civilian MILINT Service?
- 2. Who is responsible for COMSEC?
- 3. Who is responsible for SIGINT
- 4. Who is responsible for the security of government offices from electronic surveillance (bug control)?
- 5. Who is responsible for CI in foreign missions?
- 6. Who is responsible for economic CI?
- 7. Who represents the State in relations with foreign intelligence agencies?
- 8. The roles of ministries, the cabinet intelligence staff and the services need to be determined vis-à-vis the intel requirements and the monitoring thereof.
- 9. Who in the State is responsible for the final analysis of intelligence? Is there a national analysis capacity?
- 10. What is the role of the Head of State in the state security system?
- A parliamentary committee needs to be developed to monitor (control, oversee) all intelligence agencies on one level.
- 12. What are the rights and responsibilities of such a parliamentary committee?
- 13. Who is responsible for the political repercussions of intelligence operations?

#### **ASSUMPTIONS**

#### Re-establishment of the Iraqi Security and Intelligence Services

- There will be a civil Internal Security/Intelligence Service with no right to arrest
- 2. There will be a civil Intelligence Service
- 3. The Intelligence services will be apolitical. Some tools to ensure this:
  - a) Appoint Chiefs for a fixed time period longer than the Election cycle
  - b) The appointment of Chiefs will be decided by the Cabinet with Parliamentary Committee's right to veto.
  - c) Ensure that the Parliamentary Oversight Committee has equal representation of Coalition/Opposition and is chaired by an Opposition member
  - d) The Parliamentary Oversight Committee has a say in approving Budgets.
  - b) Do not allow political party affiliations for Security Service

members.

- 4. The Internal Security Service and the Intelligence service will be under different ministries.
- 5. The Services will not be departments or integral parts of Ministries but independent Agencies.
- 6. There will be a Military Intelligence Service supporting the Defense Forces. The Strategic Intelligence collection (especially HUMINT) for Military is done by the civil Intelligence Service
- 7. The Head of Executive has an overall responsibility for National Security but does not have direct command line to the Services. He/she has a coordinating function through a National Security Committee (with or without a central Intell machinery) and command line to the Ministers.
- 8. The Ministers' oversight over their respective Services consists of participation in Budget approval, right for audit, approving certain higher posts, participation in the tasking and approval of priories. The Minister has no right to interfere in operational activities nor to give direct orders to the Chiefs of Services.
- 9. All sorveillance, comms intercepts and similar activities by the Services concerning Iraqi citizens will need preliminary approval by a Judge. There will be a judicial oversight and a system for all citizens to appeal to either a court or to an Ombudsman regarding violations of their rights by the services.
- 10. The members of the Parliament have no ex officio access to operational files of the services.

### **DIVISION OF FUNCTIONS**

INIS:

COUNTER-INTELLIGENCE

Counter Espionage Counter-Terrorism Intel

Corruption Intel

International Crime/Money

Laundering Intel

Vetting/Screening (Civil Service)

MILITARY INTELLIGENCE SERVICE

Strategic MILINT Foreign CI (Embassies)

SIGINT

Threat assessments
Information Security
Vetting/Screening (Military)

J2

Tactical and operational MILINT

Mil comms security
Mil Industry Security/CI

Cyphers

#### **DEFINITIONS**

#### Military intelligence

Intelligence on any foreign military or military-related situation or activity which is significant to military policymaking or the planning and conduct of **military** operations and activities. Also called MI.

#### Counterintelligence

Information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted by or on behalf of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities.

#### Counterespionage

That aspect of counterintelligence designed to detect, destroy, neutralize, exploit, or prevent espionage activities through identification, penetration, manipulation, deception, and repression of individuals, groups, or organizations conducting or suspected of conducting espionage activities.

#### Information security

The protection of information and information systems against unauthorized access or modification of information, whether in storage, processing, or transit, and against denial of service to authorized users. Information security includes those measures necessary to detect, document, and counter such threats. Information security is composed of computer security and communications security. Also called INFOSEC.

#### Strategic intelligence

(DOD) Intelligence that is required for the formulation of strategy, policy, and military plans and operations at national and theater levels.

#### Operational intelligence

(DOD) Intelligence that is required for planning and conducting campaigns and major operations to accomplish strategic objectives within theaters or operational areas. See also intelligence; strategic intelligence; tactical intelligence.

#### Tactical intelligence

(DOD) Intelligence that is required for planning and conducting tactical operations. Also called TACINTEL

#### SIGINT = signals intelligence

A category of intelligence comprising either individually or in combination all communications intelligence, electronic intelligence, and foreign instrumentation

signals intelligence, however transmitted. 2. Intelligence derived from communications, electronic, and foreign instrumentation signals.

#### Security clearance

An administrative determination by competent authority that an individual is eligible, from a security stand-point, for access to classified information.

#### Communications security

The protection resulting from all measures designed to deny unauthorized persons information of value that might be derived from the possession and study of telecommunications, or to mislead unauthorized persons in their interpretation of the results of such possession and study. Also called COMSEC. Communications security includes: cryptosecurity, transmission security, emission security, and physical security of communications security materials and information. a. cryptosecurity--The component of communications security that results from the provision of technically sound cryptosystems and their proper use. b. transmission security-The component of communications security that results from all measures designed to protect transmissions from interception and exploitation by means other than cryptanalysis, c. emission security--The component of communications security that results from all measures taken to deny unauthorized persons information of value that might be derived from intercept and analysis of compromising emanations from crypto-equipment and telecommunications systems. d. physical security--The component of communications security that results from all physical measures necessary to safeguard classified equipment, material, and documents from access thereto or observation thereof by unauthorized persons.

#### Intelligence cycle

(DOD) The process by which information is converted into intelligence and made available to users. There are six phases in the cycle: a. planning and direction-Determination of intelligence requirements, development of appropriate intelligence architecture, preparation of a collection plan, and issuance of orders and requests to information collection agencies. b. collection-Acquisition of information and the provision of this information to processing elements. c. processing and exploitation-Conversion of collected information into forms suitable to the production of intelligence. d. analysis and production-Conversion of processed information into intelligence through the integration, analysis, evaluation, and interpretation of all source data and the preparation of intelligence products in support of known or anticipated user requirements. e. dissemination and integration-Delivery of intelligence to users in a suitable form and the application of the intelligence to appropriate missions, tasks, and functions, f. evaluation and feedback-Continuous assessment of intelligence operations during each phase of the intelligence cycle to ensure that the commander's intelligence requirements are being met. See also intelligence.

#### OBJECTIVE:

#### Develop a coordinated intelligence capability

#### Key Tasks:

1. Lay the foundations for through designing policy, structures and building capacity apolitical, civilian Intelligence services. Develop a concept of Iraqi National Intelligence structure. Establish an Internal Intelligence Service under the MOI and an (Military) Intelligence Service under MOD (OSA)

CI/Domestic IS CIA/MOI
(Military) Intel Service OSA/ CJTF-7/DIA/

2. Establish a cross-government Public Service Vetting policy, procedures and relevant institutions. Create a vetting department for Defense/military Officials at the MoD. Create a vetting department for Civil Service at the MoI.

Select, hire and train at least 6 officials for both departments. OSA/MOI

3. Establish legal framework for the services that would guarantee respect for human rights and democratic principles.

MoJ/OSA/MOJ/GENERAL COUNSEL

4. Create an Oversight mechanism of the Services.

Select, hire and train at least 3 civil service officials for the MoD and 3 for the MoI for Intel policy/oversight functions. They should be able to rotate to the National Sec Committee secretariat if/when needed.

MOI/OSA/Senior Leadership Project

5 A program for Iraqi political leaders. Seminars, talks, courses on general democratic principles for intelligence services, oversight, Intel cycle etc. Sell the idea of apolitical, civilian type services. - Yes

OSA/OPP

6 Develop a plan for handover of various Military Intel capacities and assets under Coalition command to the IMOD and NIA.

OSA/CJTF-7/C2/CMATT

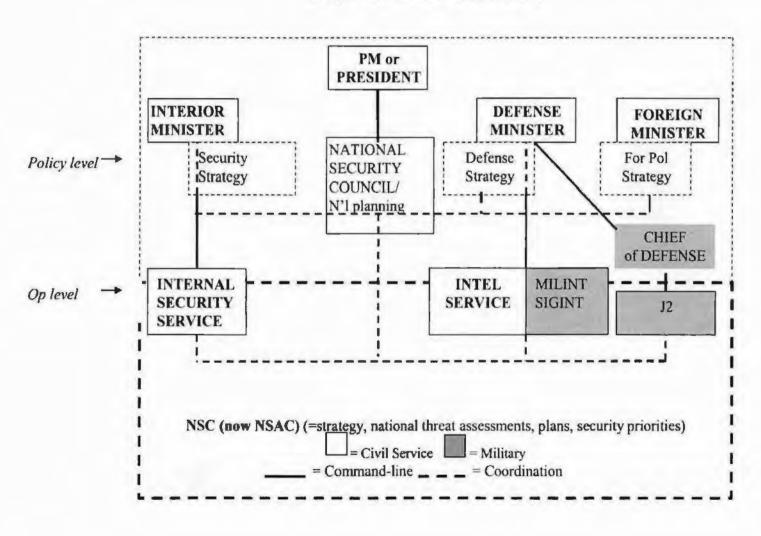
7. Develop a plan for Anti-Corrution TF and handover to the Iraqi services post July 1 2004.

MOJ

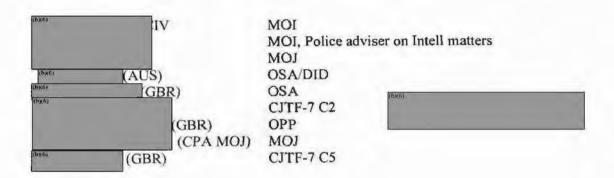
8. Expand the Senior Iraqi Leadership program to select and train future leaders of the security and intelligence services

OSA/CIA/DIA/MOI

### IRAQI INTELLIGENCE SERVICES



### Intelligence Planning WG





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(GUIPUZCOA) - ESPAÑA BARRIO USABAL, S/N - APARTADO 11

BOINAS ELOSEGUI. S.A. - 20400 TOLOSA (Guipuzcoa) ESPAÑA

Ministry of National Security Republican Presidential Palace
09335 Baghdad

IRAD

CIF/DNI :

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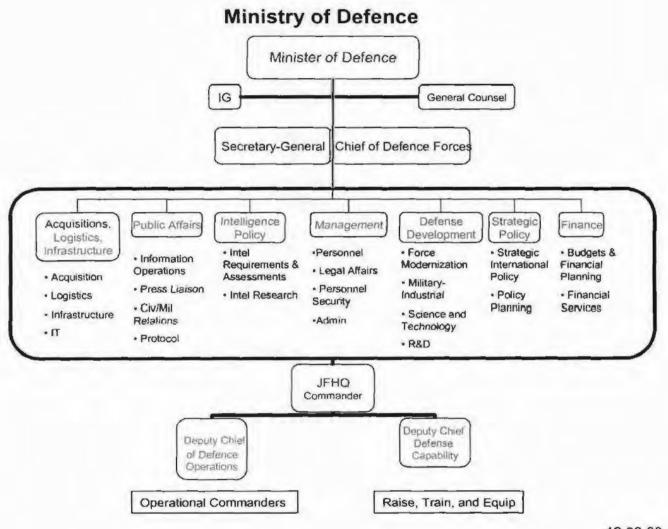
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#### Appendix A



#### APPENDIX

Institutional Options for Internal Security, Law Enforcement, and Military Forces

#### Needs:

To respond to immediate threats, enable Iraq to provide permanently for its national security, and build confidence and respect of the Iraqi people in the state's ability to safeguard them (without oppressing them), three main security capabilities are required:

- Police services, which have primary responsibility to enforce laws and maintain
  order from the local to the national level. The minimum essential goals of police
  are law and order, apprehension of criminals, day-to-day public safety, and
  cooperation at the "neighborhood" level, as opposed to threats to the country as a
  whole. Police capabilities needed today are likely to be needed for the long term.
- 2. Military forces, which have primary responsibility for national defense against external military threats. Under strict and clear legal guidelines, military forces may be called on by national political authorities to provide specific support in responding to internal threats and emergencies that demand military capabilities. Military forces needed today are likely to be needed for the long term, though the mix of active and reserve components could vary.
- 3. National internal security forces, which are responsible for responding to threats to the state from within. Such forces must be able to defeat insurgents, terrorist groups, and other armed, organized, dangerous internal elements, which may or may not be receiving external support. Unlike police, they may use force before a crimes occurs and seek to destroy armed opponents. While "high-end" internal threats are the principal dangers now facing the coalition and emerging Iraqi state, internal security forces needed for the long term may (or may not) be different in size and capabilities from those needed today.

How should these three needs be met? Are three separate services desirable, or essential? How should the services be structured and fit within a single architecture? How should their roles, missions, and interaction be defined? How should their accountability to political authority, their acceptance by the Iraqi people, and their compatibility with Iraqi democracy be ensured?<sup>2</sup>

<sup>1</sup> Other forces will also likely be required and established. However, these three represent the largest categories of necessary armed organizations.

<sup>&</sup>lt;sup>2</sup> In addition to capabilities to use force, intelligence capacity will be critical to support all three needs. If intelligence arms are distributed among the several security services, they should be closely linked to one another in an intelligence community. If they are not distributed among the security services, they should be linked to those services to ensure effective support. In any case, they should be under firm political control.

#### Criteria:

While the chief measure of success of designing these forces will be their effectiveness in meeting threats, how they are structured and to whom they report will be a critical to both their effectiveness and their legitimacy (and thus the legitimacy of the new state). Accordingly, consistent with the imperative of effectiveness, alternative approaches should be tested against the following criteria:

- Public acceptance. Neither police services nor the military nor internal security
  forces will be effective without public trust and cooperation. This requires that
  the structures established, to the extent possible, avoid association with past
  repression -- a difficult task given the history of police, internal security services,
  and parts of the armed forces, as well as the ministries to whom they reported.
- De-concentration of power. Responsibility for the three functions, and thus
  control over the capabilities to perform them, should be sufficiently diffuse to
  guard against their exploitation for political gain, let alone for posing a threat,
  direct or implied, to the development of a democratic, pluralistic Iraq.
- 3. Coordination. The services required to perform the functions of police, internal security and national defense must be structured, connected, and overseen in ways that ensure the flow of information, the operational support for one service by another, and the avoidance of gaps or unwanted redundancy in capabilities and jurisdictions.

While public acceptance bolsters operational effectiveness, de-concentration could impair it. At the same time, de-concentration is important for public acceptance. Coordination is, of course, more important the less concentrated security responsibilities and capabilities are.

#### Possible Structures:

Basically, there are two different architectural approaches:

- Dyadic. A distinction is made between internal and external forces. The Iraqi
  armed forces (IAF) would report to the MoD and have tightly circumscribed
  back-up roles in internal security. The Iraqi police service (IPS) would be the
  sole internal security force; it would have two branches, one for law enforcement
  and the other responsible for conducting paramilitary operations insurgents and
  other severe internal security threats. Under this option, the police would have to
  report to the MoI.
- Triadic. In addition to the IPS and IAF, a separate force is maintained to combat insurgency, domestic terrorism, and other severe internal threats to national structures, stability, and the state. This internal security force (ISF) would report to the MoI. Ther are two sub-options in this approach: the IPS could report either

to the MoI or the MoJ, because its role would be law enforcement rather than that plus internal national security.

The first option provides for easier operational and intelligence coordination, particularly between the two police branches performing law enforcement and internal security missions. At the same time, with the IAF confined to external security, it would place control over all internal security capabilities under one ministry (MoI), which has a dark history and association in the minds of the Iraqi people. Although the ISF branch could be drawn down as internal security improves, its integration with the IPS could create a single source of domestic armed power and a temptation for some ambitious politician. Finally, because enforcing the law and defeating internal national security threats require very different capabilities and operations, this option might skew or undermine the development of a community-friendly, trusted police service and culture.

The second option disperses armed capabilities better than the first. It may make it easier to develop the kind of police force the Iraqi people would trust and support. Moreover, existence of a separate internal security force might reduce the need to call in the IAF to defeat internal threats. The sub-option of placing the police service under MoJ—which is not possible in the dyadic approach—would spread control of armed power over three ministries. Yet, the same diffusion of power that makes this option appealing may also limit how well the separate forces can coordinate, or make inter-service and inter-ministerial cooperation all the more important.

At some point, it would be useful to raise these issues with responsible Iraqis.

This memo is in response to the Secretary's memo dated November 10, 2003 stating the need for a single individual to keep track of the activities of the Iraqi security forces and to establish a weekly reporting mechanism to track progress. This report and those that follow are not intended to supplant existing reports by CPA or CENTCOM, but rather to provide an ongoing qualitative assessment for decision-makers of how we are doing collectively in meeting our strategic objectives as they relate to Iraqi security forces.

#### LEADERSHIP

Our success in assuring quality leadership in the various security forces is mixed at best. In our haste to establish a functioning police force, most of the old leadership was retained. Although there are notable exceptions, many of the senior officers are ineffective because of a combination of incompetence, lack of initiative and resistance to change. Some are far more interested in retaining their perks (i.e. personal cars, bodyguards, privileges, etc.) than actively supporting the new order. They are hoping to wait us out. On the brighter side, MOI expects a large number of these senior officers to retire once a viable pension program is put in place.

The New Iraqi Army is probably in the best shape in that it has benefited from a more methodical approach to selection of leaders. Assessing the leadership within the Civil Defense is difficult at best. It is currently functioning under the watchful eyes of and direction of Coalition commanders. It is imperative that those commanders focus on selecting and developing competent leaders prior to the Civil Defense assuming a greater stand-alone role as Coalition forces pull back and eventually pull out.

The weak civilian leadership within the ministries also impacts the effectiveness of the security forces. This is particularly apparent within the Ministry of Interior where appointments are heavily driven by politics. It also is a major problem as it relates to managing and supporting the FPS.

In sum, our failure to adequately address the leadership issue will have the net effect of marginalizing the billions of dollars we are spending to train and equip the Iraqi security forces. As we expand the Iraqi security forces from their present level of 150,000 (68,900 Police, 14,200 Civil Defense, 1,500 New Iraqi Army, 12,600 Border Police and 52,700 FPS) to our established goal of 221,700, the leadership issue becomes even more critical to address.

#### **ROLES AND MISSIONS**

The IPS, FPS and Border Police roles and missions are reasonably well established and understood. The New Iraqi Army has now been given additional leeway in its ability to deal with internal threats. The Army's primary mission of contributing to external defense, while adequately defined, lacks credibility as a stand alone force. The continuing presence of Coalition forces to reinforce and sustain the Iraqi military is a given. Whether an independent Iraqi government will continue to support such an arrangement to continue given the generally negative view of foreign troops over an extended period is a serious question.

Civil Defense roles and missions vary based on the Coalition commanders' view of how best to employ such forces. In general, they are engaged in a support role for Coalition forces with missions that include static defense, patrolling, manning checkpoints, cordon and search, and intelligence gathering. The more difficult challenge is determining the future role of Civil Defense when Coalition forces begin to leave. Dissolution of the Civil Defense would leave a void at a time when perhaps the force is most needed, not to mention the unpleasant result of firing 40,000 armed men. Placing the Civil Defense under the New Iraqi Army is the most convenient option from a transition perspective, but it has a very local, internal focus while the Army does not. We should anticipate that at least some of the Civil Defense elements will

transform into private militias in the future and therefore should endeavor to minimize such developments by transforming it into a reserve component type entity under the Minister of Defense. A name change is in order in any case given the continuing confusion created by the fact that the fire and rescue also call themselves civil defense. Maintaining advisors from the Coalition forces and the New Iraqi Army as well as funding and the ability to formally nationalize such forces in times of crisis are potential alternatives to avoiding the formation of militias.

#### COUNTER-TERRORIST FORCES

There is a concerted effort underway to establish CT forces within a variety of Iraqi entities, including the Police, the Civil Defense, New Iraqi Army and 5 political parties that plan to form a 500 man unit. While it can be argued that given the current threat more is better, coordinating the employment of these diverse elements will be a challenge. Consolidation of the CT force contemplated for the Civil Defense into the New Iraqi Army merits consideration.

#### **TRAINING**

Progress is evident in the standardization of training within the Iraqi security forces. The MSCs have adopted the standard program of instruction for the 3 week TIP course designed to qualify the existing police. Recruit training in the future will only be conducted in accordance with the standard 8 week program of instruction and will be accomplished in Jordan, Baghdad and Irbil.

New Iraqi Army training is progressing as planned with the second battalion benefiting from lessons learned during the initial cycle.

Basic Civil Defense training requirements, like those of the FPS, do not produce a person or unit capable of performing combat missions independently. We should expect that Civil Defense units will perform at different levels of effectiveness given the diversity of Coalition forces providing follow on individual and collective training. Generally speaking, units actively engaged in operations have a difficult time training themselves, much less additional units. CJTF7 is planning to bring in separate elements from the training base to address this problem. Since maintaining public order is a likely mission for the Civil Defense, an appropriate training program is essential.

#### **OPERATIONS**

The Iraqi security forces continue to improve, albeit slowly in some areas. There is a general recognition and consensus among Coalition and Iraqi leaders that the Iraqis must assume an increasingly greater role in every security related area including counter-terrorism. However, the transition to Iraqi assumption of responsibility is moving too slowly in some areas. There is not a clear trigger as when Coalition forces should assume a less visible supporting role and allow the Iraqis, particularly the police, to take the lead. There is a understandable tendency for commanders at the tactical level to want to engage in the more active and exciting missions. While understandable, this attitude can retard and delay the process of having the Iraqis assume responsibility for establishing law and order, including curbing the terrorist threat. Strategically, it is essential that we make the transition as quickly as possible. While perhaps counter-intuitive, it is probably better to have the Iraqi security forces perform these missions even if they are only marginally capable than to have Coalition forces continue until

the Iraqis have demonstrated that they are fully capable. Unless they are put into position and required to perform, the Iraqi security forces will be content to let the Coalition forces take on the more challenging and dangerous missions.

Rapid development of a more structured Iraqi intelligence capability is essential to support this transition effort. Similarly, the lack of a functioning justice system seriously undermines the effectiveness of security forces, particularly the police.

The establishment of a Joint Coordination Center within the 1<sup>st</sup> AD sector to insure proper coordination between Coalition and Iraqi forces is proving to be highly effective and should serve as a model for not only other regions, but the Iraqis themselves as diverse security elements are employed, particularly in the counter-terrorist role.

Attacks against Iraqi security forces have risen steadily over the past 3 months with November registering the highest level to date with over 60 incidents. Over 100 have been killed and over 300 have been wounded. This reflects a recognition on the part of the enemy of how important these forces are in meeting our strategic objectives and represents a clear attempt to demoralize the members in hopes they will either quit or be afraid to perform aggressively. We should take every opportunity to bolster the members of the Iraqi security forces by making clear how important their role is to the country and that those engaged in terrorism have declared war on them in an effort to make them afraid to act. We should emphasize that this strategy is doomed to failure because the security forces are not afraid and will respond aggressively to eliminate this threat.

The increasing use of the term "Sunni Triangle" by Coalition leaders is an issue raised by Iraqis. Feedback indicates that it is offensive to both religious groups and demonstrates a lack of sensitivity and awareness. Millions in that area are not Sunni and many of the Sunnis, including members of the security forces, are active opponents of the previous regime and resent being labeled as troublemakers.

#### **VETTING**

This has and continues to be a weak area. Our principal means of determining if the vetting process has failed is when Iraqis come forward and identify persons whose previous actions or high level of Ba'ath party membership warrants disqualification. The lack of documentation and the propensity for applicants to lie, coupled with a shortage of trustworthy linguists, make this a very difficult problem to solve. A viable solution would be the establishment of a government-wide vetting office that the UK has offered to support.

#### RESOURCES

The CPA Interior Ministry staff is critically short and needs help immediately. Management of programs essential to the overall success of our security related objectives is lacking as a result. CJTF7 is augmenting the administrative and training staffs in an effort to help until additional personnel arrive.

On the money side, there is a pressing need to tap into supplemental funding immediately and to make additional CERP funding available if we are to meet our acceleration objectives. This is particularly apparent with regard to the New Iraqi Army. Procedural delays with DoD as well as Congressional notice requirements prior to awarding contracts will delay delivery of equipment. This in turn could cause us to miss major milestones over the next 6-7 months.

The FPS has not been fully adopted financially by the ministries as contemplated. The net result is that the MSCs in some cases continue to pay and support the FPS using CERP funds.

Pay and benefits remain an issue with the Iraqi security forces. Retention within the New Iraqi Army is a major problem. The 1<sup>st</sup> Battalion began its training with 1,100 men. It is authorized 694, but now stands at 399. Basic pay appears to be the main cause of this outflow of trained manpower. Police continue to complain that pay and survivor benefits are too low given the dangers currently inherent in their jobs...

As stated earlier, this it the first in a series of weekly reports. Comments and recommendations for improving the report would be appreciated.

#### Attachments:

- (A) Tab out attachments in a list
- (B) Next attachment
- (C) Next

#### UNCLASSIFIED

# COALITION PROVISIONAL AUTHORITY BAGHDAD

#### ACTION MEMO

29 November 2003

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FROM: Acting Director, Office of National Security Affairs

SUBJECT: ICDC End State

This memorandum requests your approval to define the Iraqi Civil Defense Corps (ICDC) end state status as a reserve augmentation force to the New Iraqi Army (NIA), within the Ministry of Defense and under the command of the NIA Joint Force Headquarters (JFHQ). It also requests your approval to extend the ICDC authorization (CPA Order #28) one year, to September 2005.

This decision will enable essential, detailed, operational and tactical level planning relating to command relationships between ICDC, NIA and CJTF forces. This planning effort will define task and capability requirements as we hand off responsibility for security in the urban areas to Iraqi security forces. It will lead to closer integration among Iraqi security forces and clarify the command relationships between the CJTF and the Iraqi Contingent Command within the CJTF.

On 23 Nov, in discussion with MG Eaton, Brig Gen Riley and Fred Smith, you provided the following policy parameters to guide consideration of ICDC end state options:

- ICDC is not to devolve to Governors' control at end state.
- Policy considerations, concerning roles and missions of the MOD and the MOI, the
  police, ICDC and the NIA, lead to the conclusion that ICDC should be under the NIA.
  - ICDC must not have police powers, except as such may be authorized by the National Command Authority in accordance with law and CPA Order (yet to be written) which will govern "Military Aid to the Civil Authority."
  - ICDC must remain an augmentation force rather than a fully self-sufficient force comparable to the defense forces or the police.
- At end state, i.e. after the current emergency (insurgency), the majority of ICDC should be disbanded or placed in a reserve status, subject to recall by the National Command Authority (NCA. A few battalions may be retained on active duty, under the JFHQ to provide an intermediate force, short of resorting to the NIA, to augment police or respond to national emergencies.

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Measuring the possible options (see attachments) against this policy guidance, there is only one option which meets all the policy criteria, that is to define the ICDC as a reserve augmentation force to the Army, under the NIA JFHQ, within the MOD. This status retains the benefits of association with the NIA and MOD, i.e. standardization in doctrine, training and equipment. In provides the basis for adapting the status of the ICDC battalions (activation, de-activation, demobilization) as the emergency (insurgency) subsides. It also re-affirms the ICDC role, as an augmentation to regular forces and keeps them under national, not governorate, authority.

Recommend you approve the following decisions:

Define the ICDC as a reserve augmentation force to the NIA. It has been organized and
is being employed as an augmentation force to the CJTF MSCs, in the interim, until the
NIA headquarters structure, through MOD and JFHQ is established. As these NIA
headquarters (battalion, brigade, division) achieve functionality, they will take
responsibility and authority over the ICDC.

Approve: Disapprove: Approve with modification:

- When the emergency (insurgency) is over, or earlier as may be provided in the Security Agreements, the Iraqi NCA will instruct the JFHQ to place the units of the ICDC in a reserve status or disband them, and/or retain selected elements on active status in accordance with that NCA guidance.
  - Those ICDC placed in reserve status will be subject to recall by the NCA.
  - Those ICDC retained in active status will be under the command of the JFHQ, to be employed as the NCA may direct to provide an intermediate response by augmenting the police or responding as directed to other national emergencies.

Approve: Disapprove: Approve with modification:

Authorize the extension of the period of service of ICDC volunteers for an additional 12 months, until September 2005 (ref: CPA Order #28, Section 2(3), subject to a decision by the CPA or by an internationally recognized, representative government, established by the people of Iraq, to discontinue the Iraqi Civil Defense Corps.

Approve: Disapprove: Approve with modification:

ATTACHMENTS:

CPA/ONSA Information Paper, "Disposition of The Iraqi Civil Defense Corps (ICDC)", 19 November 2003.

COORDINATION:

CPA/NIA, CPA/GC, CPA/MOI, CPA/Governance, CJTF-7

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#### Smith, Frederick C. (SES)

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London Financial Times December 12, 2003 Pg. 11

### Rival Former Exile Groups Clash Over Security In Iraq

By Nicolas Pelham

Tensions have emerged between two influential formerly exiled political parties in Baghdad over control of Iraq's rapidly proliferating security organisations.

The growing number of Iraqi-financed private military companies had already caused concern that secular leaders might be developing militias to match the paramilitary forces under the command of religious and Kurdish political groups.

Now Ayad Allawi's Iraqi National Accord has accused the Iraqi National Congress (INC), led by Ahmad Chalabi, of undermining central authority by backing creation of a private military company to secure the oil sector. Mr Allawi is head of the security committee on the interim Governing Council and his deputy, Nouri Badran, runs the interior ministry, which controls more than 50,000 police.

The sparring between Mr Chalabi and Mr Allawi dates from the 1990s, when both men led separate attempts to overthrow Saddam Hussein. While Mr Chalabi is close to the Pentagon and advocates redrawing the Middle East political map, Mr Allawi is regarded as closer to the CIA and fears that further upsetting the status quo would inflame the region.

The latest dispute between the two, both members of the Governing Council's rotating presidency, erupted after close associates of Mr Chalabi teamed up with Erinys International, a Johannesburg-based security risk consultancy, to train and deploy a 6,500-strong Iraqi force at oil installations. The joint venture, Erinys Iraq, won an Dollars 80m (Pounds 46m) two-year contract.

"If such security companies are not under central government control there will be anarchy," said Mr Allawi. He said the interior ministry should regulate the oil security force.

Erinys Iraq says its security responsibilities will revert to state control at the end of its two-year contract. "The INC played no part in securing the contract," says Faisal Daghistani, a founding partner and director of the company. He says the contract was won fairly in an open tender. Coalition officials, too, deny the INC influenced the decision. "It's simply not true. Erinys' was the best bid," said one.

Mr Daghistani, son of the INC's humanitarian co-ordinator, however, acknowledges Erinys is recruiting US-trained Iraqi Free Forces, who entered Iraq with Mr Chalabi.

Mr Chalabi has responded by accusing Mr Allawi of encouraging foreign interference in Iraq's

security. Jordan has won a contract to train 32,000 Iraqi police. While the contract was awarded on advice from the Coalition Provisional Authority, the interior ministry - under INA leadership - is seen as the beneficiary.

"The Governing Council did not to agree to spend Dollars 1.2bn on eight-week long courses for Iraqi police in Jordan. It would be far more efficient to train them in Iraq," said Mr Chalabi. Ibrahim al-Jannabi, Mr Allawi's deputy on the security committee, counters that the deal is worth Dollars 180m and is financed by the US, not Iraq.

Acting Director Intelligence Conversion Office of Security Affairs Coalition Provisional Authority

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Mob: +1

#### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 22

#### CREATION OF A NEW IRAQI ARMY

Pursuant to my authority as the head of the Coalition Provisional Authority (CPA), relevant UN Security Council resolutions including Resolution 1483 (2003), and the laws and usages of war,

Noting that Resolution 1483 appeals to Member States inter alia to assist the people of Iraq to contribute to conditions of stability and security in Iraq,

Recalling that CPA Order Number 2 on the Dissolution of Entities dissolved the Army, Air Force, Navy, Air Defense Force, and other regular military services, the Republican Guard, the Special Republican Guard, the Directorate of Military Intelligence, the Al Quds Force, the Quwat al Tawair, Saddam Fedayeen, Ba'ath Party Militia, Friends of Saddam and Saddam's Lions Cubs (Ashbal Saddam) and other entities,

Further recalling that Section 5 of CPA Order Number 2 looks forward to the creation of a New Iraqi Army as the first step in forming a national self-defense capability for a free Iraq,

Conscious of the need to start promptly to establish a military force for the national self-defense of free Iraq at the conclusion of the authority of the CPA,

Acknowledging the need to engage with Iraqi governmental institutions as they develop regarding the structure, institutions, and roles of the national armed forces of the new Iraq,

hereby promulgate the following:

#### Section 1 Definitions

"Code of Military Discipline" is the Code of Military Discipline promulgated by the Administrator of the CPA under a separate CPA Order.

"Commander in the New Iraqi Army" means an Iraqi officer appointed from time to time in accordance with this Order to command positions in the New Iraqi Army or the Iraqi armed forces generally.

"Defense Areas" are defined as any land, water, or super-adjacent air space contained within the territory of Iraq, or any building or part of a building or any other building that is reserved or set apart, used or otherwise controlled for defense purposes, by designation under section 10 of this Order.

"Extremist Organizations or Activities" are organizations or activities that advocate racial, gender or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, gender, religion, or regional or national origin; or use, or advocate the use of force or violence or other unlawful means for political purposes, whether internal or international,

"Heavy Weapons" are weapons firing ammunition larger than 7.62mm, machine guns, crew-served weapons, anti-tank weapons (such as rocket propelled grenades (RPGs)), anti-aircraft weapons (to include shoulder fired missiles and AA guns), indirect fire weapons (mortars and artillery pieces), armored vehicles or self-propelled weapons, high explosives and explosive devices (including mines and hand grenades),

"Member of the New Iraqi Army" or "Army" means a person serving in the New Iraqi Army from the time of attestation until the date of termination of service,

"New Iraqi Army" means the military forces of Iraq organized for the purposes set forth in this Order including all components of the national armed forces of Iraq, specifically including the ground forces recruited, trained, and organized as the first step in the process of creating a military defense force for the new Iraq. Unless the context clearly requires otherwise, all references to the "New Iraqi Army" are references to any element of the national defense forces of Iraq,

"Serious Offense" means a criminal offense under the criminal laws of Iraq or the Code of Military Discipline that authorizes, in the event of a conviction, confinement for a period in excess of three months as a punishment.

"Small Arms" includes shotguns, pistols, and rifles that fire ammunition up to and including 7.62mm.

#### Section 2 Existing Law

The Iraqi Military Law Code Number 13 of 1940, the Iraqi Military Procedures Code Number 44 of 1941, the Code of Legal Notification of Military Personnel Number 106 of 1960, Punishment of Military Deserters Law Number 28 of 1972, and the Penal Code of the Popular Army Number 32 of 1984 are hereby suspended.

## Section 3 The Mission and Command Structure of the New Iraqi Army

- 1) There is hereby established the New Iraqi Army as the first step toward the creation of the national defense force of the new Iraq. The New Iraqi Army is an establishment intended to provide a capability in support of the security of Iraq during the period of the CPA's authority. The continued existence of the New Iraqi Army beyond the period of CPA's authority is subject to a decision by the future internationally recognized, representative government, established by the people of Iraq.
- 2) The mission of the New Iraqi Army and of the national defense forces generally is the military defense of the nation, including defense of the national territory and the military protection of the security of critical installations, facilities, infrastructure, lines of the communication and supply, and population. The tasks of the New Iraqi Army and of additional units of the national defense forces of Iraq include developing a military capability during the period of authority of the CPA in order to provide the basis for militarily effective, professional, and non-political armed forces for the military defense of the nation after the conclusion of the CPA's tenure. The New Iraqi Army shall not have, or exercise, domestic law enforcement functions, nor intervene in the domestic political affairs of the nation. Tasks of the New Iraqi Army will also include participation in domestic relief operations associated with natural or man-made disasters and humanitarian relief missions.
- 3) Command positions in the New Iraqi Army and in other elements of the national defense force of Iraq will be held by Iraqi officers only. Supreme command, control and administrative authority over the New Iraqi Army and of additional units of the national defense forces of Iraq and all authority formerly vested in the Ministry of Defense will reside on an interim basis with the Administrator of the CPA as the civilian Commander-in-Chief pending transfer of such authority to an internationally recognized, representative government, established by the people of Iraq. The Administrator, or a civilian member of the CPA reporting directly to the Administrator and to whom authority has been specifically delegated in writing by the Administrator for this purpose, will commission officers in the New Iraqi Army and may designate Commanders of units of the New Iraqi Army, of the Army as a whole, or of the national defense force as a whole. The Administrator, or a civilian member of the CPA reporting directly to the Administrator and to whom authority has been specifically delegated in writing, will designate the officers to command the principal units of the New Iraqi Army, as they are created. The specific assignments of subordinate officers shall be made in accordance with procedures established by Administrative Instruction.

4) Operational or tactical command of units of the New Iraqi Army operating with Coalition forces may be vested in an officer of Coalition forces of rank superior to that of the commander of such Iraqi units as shall be designated by the Administrator of the CPA or by a civilian member of the CPA reporting directly to the Administrator and to whom such authority is specifically delegated in writing.

#### Section 4 Conduct

- Members of the New Iraqi Army shall comply with the lawful orders of those superior in rank to them, according to regulations and the Code of Military Discipline.
- 2) Such members shall comply with the lawful orders of those persons who are not members of the Iraqi armed forces, whether military or civilian, who may be placed in operational command over them from time to time in conjunction with their duties, according to regulations and the Code of Military Discipline.

## Section 5 Discipline

- 1) Members of the New Iraqi Army are subject to the jurisdiction of the civilian criminal courts pursuant to the Criminal Procedures Code No. 23 of 1977, as amended from time to time, for offenses under the Penal Code No. 111 of 1969, as amended from time to time, and to the jurisdiction for offenses established under a Code of Military Discipline promulgated under a separate CPA Order. The jurisdiction over offenses under the Code of Military Discipline will be as determined by the Order creating the Code of Military Discipline.
- 2) In circumstances where both the civil and military authorities have jurisdiction over an offense, the civil authorities will have primary jurisdiction. In all cases, jurisdiction will be exercised, and allocated, as provided for in the Code of Military Discipline Order.

## Section 6 Terms and Conditions of Service

 Administrative Instructions with regard to Terms and Conditions of Service, as may be considered necessary to give effect to the terms of this Order, may be issued by the Administrator of the CPA or by a civilian member of the CPA reporting directly to the Administrator and to whom such authority is specifically delegated in writing.

#### ENLISTMENT

- 2) The minimum age for enlistment into the New Iraqi Army is 18 years of age.
- Service in the New Iraqi Army will be voluntary and for a set term of enlistment which shall not be extended except in emergencies as officially declared by the Administrator.
- 4) Suitability for service in the New Iraqi Army will be determined on several criteria including, but not limited to:
  - (a) demonstrated physical ability:
  - (b) demonstrated minimum scholastic aptitude;
  - (c) the absence of evidence of human rights violations or war crimes;
  - (d) the absence of affiliation with the security and political control organs of the former regime:
  - (e) the absence of association with Extremist Organizations or other groups that use or advocate the use of violence for political purposes whether internal or international;
  - (f) provided, however, no qualified person will be denied the opportunity to serve on the basis of race, ethnic or regional origin, religion, creed or tribal affiliation;
- 5) Prior military service is not required, but persons with military experience will be eligible to join the New Iraqi Army, subject to meeting the applicable standards, including the criteria listed in paragraph 4 above. No person involved in Ba'ath Party activity within the leadership tiers described in CPA/ORD/16 May 2003/01 shall be eligible except with specific permission of the CPA.

#### RANK STRUCTURE

- 6) The New Iraqi Army will consist of commissioned officers and enlisted personnel with ranks that may include warrant officers and non-commissioned officers
- 7) The ranks of officers will, in ascending order, be:

تلموذ ضابط	Tilmeez Daabet	Officer Candidate
ملازم	Mulaazem	2nd Lieutenant
اول ملازم	Mulaazem Awwal	1st Lieutenant
نقيب	Nageeb	Captain
رقد	Raaed	Major
مقذم	Muqaddam	Lt. Colonel

عقرد	Asageed	Colonel
عمرد	Aameed	Brigadier General
lela	Liwaa	Major General
اديق	Fareeq	Lt. General

- 8) The Administrator of the CPA, or a civilian member of the CPA reporting directly to the Administrator and to whom authority has been specifically delegated in writing by the Administrator under this Section, may, in accordance with Administrative Instructions, by instrument in writing, commission persons to be officers of the New Iraqi Army at a rank to be determined by the person conducting the commissioning. It shall be possible for personnel to be commissioned on entering the New Iraqi Army at a commissioned rank above Second Lieutenant.
- 9) The ranks of enlisted personnel, non-commissioned officers and warrant officers will, in ascending order, be:

جندي	Jundi	Private
لول جندي	Jundi Awwal	Private 1st Class
للتب عريف	Naeb Aarcef	Corporal
عريف	Aareef	Sergeant
عريف لول	Aareef Awwal	Sergeant 1st Class
وكيل	Wakeel	Master Sergeant
وكليك أول	Wakeel Awwal	Sergeant Major
موهل	Muahhal	Warrant officer
موهل أول	Muahhal Awwal	Chief Warrant Officer

- 10) The appointment of enlisted personnel and warrant officers will be made by the person authorized under Administrative Instructions issued by the Administrator of the CPA, or by a civilian member of the CPA reporting directly to the Administrator and to whom authority has been specifically delegated in writing, by the Administrator for this purpose. It shall be possible for personnel entering the service to be appointed to an enlisted rank above that of Private.
- 11) Promotion of officers and enlisted personnel will be made pursuant to procedures to be established by the Administrator of the Coalition Provisional Authority on the basis of merit established by reference to experience, demonstrated competence in the current rank and potential for exceptional performance in the next higher rank.

#### PAY AND ALLOWANCES

- 12) Pay and allowances for members of the New Iraqi Army will be determined by an Administrative Instruction.
- 13) A Member of the New Iraqi Army will automatically forfeit a day's pay and allowances for each full or partial calendar day that the Member absents himself from his place of duty or unit without the permission of a superior officer authorized to grant such permission, and shall in addition be subject to appropriate disciplinary action, including the commencement of Disciplinary Proceedings under the Code of Military Discipline.

#### LEAVE

14) Members of the New Iraqi Army may take leave subject to the needs of the service, upon receiving permission from a duly authorized officer. The period of leave and other relevant details are to be specified by Administrative Instructions.

#### TERM AND TERMINATION OF SERVICE

- 15) Volunteers for service in the New Iraqi Army obligate themselves to an initial term of service for a period not to exceed 26 months, subject to a decision by an internationally recognized, representative government, established by the people of Iraq, to continue its existence once such government assumes the responsibilities of the CPA and to the provisions of Section 6 (16)(b) and (c) below. At the end of any term of service, a member may extend service for a further term of 24 months, subject to agreement by the appropriate authorities and the interests of the service. No period of service shall be extended without the consent of the Member, except in national emergencies as officially declared according to law. Required minimum terms of service in special situations, e.g. advanced training, may be specified by Administrative Instruction.
- 16) Service in the New Iraqi Army may terminate on the occurrence of one of the following events:
  - (a) Upon a determination that the Member's services are no longer required following the transfer of authority by the CPA to an internationally recognized, representative government, established by the people of Iraq, without prejudice to the right of an internationally recognized, representative government in Iraq, established by the people of Iraq, to assume the command and control of the New Iraqi Army and all on-going service obligations of its personnel;

- (b) Upon a determination by a commanding officer, based upon credible evidence, that a Member of the New Iraqi Army is unsuitable for further military service in the New Iraqi Army on the basis of one of the following:
  - (i) commission of a Serious Offense
  - (ii) a poor disciplinary record
  - (iii) medical unsuitability
  - (iv) consistently poor performance
  - (v) failure to meet basic standards of performance
  - (vi) behavior which is discriminatory on the basis of gender, race, ethnic or regional origin, religion or tribal affiliation
  - (vii) unsuitability for military service
  - (viii) commission of a Military Offense
  - (ix) violations of Section 9 of this Order (relating to political activity)

Within seven days of notification of termination, Members who have completed initial entry training, may request that the decision to terminate their service be confirmed by the Administrator of the CPA or by a civilian member of the CPA reporting directly to the Administrator and to whom such authority is specifically delegated in writing in respect of this Section. A determination under this clause (b) shall be conclusive upon confirmation by Administrator of the CPA, or by a civilian member of the CPA reporting directly to the Administrator and to whom such authority is specifically delegated in writing with respect to this Section, or upon the elapse of seven days from the time of notification of termination, if no request for confirmation is made.

- (c) Service in the New Iraqi Army shall also terminate upon:
  - the granting of an application from a Member of the New Iraqi Army for discharge based upon demonstrated need;
  - (ii) on the granting of an application to resign; or
  - (iii) a determination by the Administrator or his delegate that such termination is necessary for the good of the service.

# Section 7 Weapons

The possession of Heavy Weapons and Small Arms by Members of the New Iraqi Army is regulated by CPA Order Number 3, Weapons Control Order (CPA/ORD/23 May 2003/03), which Order may be supplemented by Administrative Instructions.

# Section 8 Administrative Inquiries

- 1) The Administrator of the CPA, or a civilian member of the CPA reporting directly to the Administrator and to whom such authority is specifically delegated in writing, may, by Administrative Instruction, issue such rules made under this Section for the convening of an Administrative Inquiry to investigate any matter regarding the operation of any part of the New Iraqi Army. Reports of such inquiries shall establish the facts of the matter, draw conclusions, and make any recommendations as may be appropriate.
- 2) An Administrative Inquiry may be convened by an officer of the rank of Lieutenant Colonel or above who holds a command position with respect to any matter concerning a unit under his command and its operation or the Members of the New Iraqi Army under his command, except that an Administrative Inquiry may not be convened to investigate a matter already under investigation as a criminal matter until such time as the criminal investigation is completed. In circumstances in which an Administrative Inquiry has been commenced and it discovers evidence of a Military Offense then it may refer the matter to a Disciplinary Officer in accordance with the Code of Military Discipline. Following referral of the matter to a Disciplinary Officer, the Administrative Inquiry will be completed in accordance with the rules governing such Inquiries.

# Section 9 Political Activities

Members of the New Iraqi Army may not:

- (a) be members of a political party, organization or association;
- (b) participate in any activities of a political party, organization or association including the recruiting of members for political parties or organizations;
- (c) publicly state or suggest any opinion of a political nature which includes efforts to indoctrinate members of the New Iraqi Army or any other person with a political ideology or otherwise convince any person to adhere to a particular political ideology; or

- participate in any manner in Extremist Organizations or (d) Activities.
- Nothing in this Section shall limit the right of a member of the New Iraqi Army to vote in elections for political office organized on a local, regional or national basis.

### Section 10 Defense Areas

The Administrator of the CPA, or a civilian member of the CPA reporting directly to the Administrator and to whom such authority is specifically delegated in writing, may prohibit or restrict access by any person to any Defense Area and may make all appropriate provisions for the control and security of any Defense Area. In the event such prohibitions or restrictions limit access to privately-owned property, reasonable compensation shall be promptly paid to the property owner during the period of limited access.

### Section 11 Administrative Instructions

The Administrator of the CPA, or a civilian member of the CPA reporting directly to the Administrator and to whom such authority is specifically delegated in writing, may issue Administrative Instructions, not inconsistent with this Order, prescribing all matters that are necessary or convenient for giving effect to or carrying out the purposes of this Order.

## Section 12 Entry into Force

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator

Coalition Provisional Authority

### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 23

# CREATION OF A CODE OF MILITARY DISCIPLINE FOR THE NEW IRAQI ARMY

Pursuant to my authority as the head of the Coalition Provisional Authority (CPA), relevant UN Security Council resolutions including Resolution 1483 (2003), and the laws and usages of war,

Noting that Resolution 1483 appeals to Member States inter alia to assist the people of Iraq to contribute to conditions of stability and security in Iraq,

Recalling in this regard that CPA Order Number 22 created the New Iraqi Army,

Acknowledging the need to ensure that the New Iraqi Army has a system of discipline to maintain order,

Noting that CPA Order Number 22 provides for both military and civilian jurisdiction over members of the New Iraqi Army

I hereby promulgate the following:

## SECTION 1 DEFINITIONS

"Accused" means a Member of the New Iraqi Army subject to this Code of Military Discipline, against whom disciplinary proceedings are conducted in respect of an allegation of a Military Offense under this Code of Military Discipline,

"Charge" means a formal accusation in writing, prepared at the direction of the Disciplinary Officer and signed by a Disciplinary Officer, that a Member of the New Iraqi Army subject to this Code of Military Discipline has committed a Military Offense,

"Commander of the New Iraqi Army" means the Iraqi officer appointed by the Administrator of the CPA to command the New Iraqi Army,

"Disciplinary Proceedings" means the investigation into, hearing of and the decision reached, under this Code of Military Discipline in respect of an allegation of a Military Offense and includes any appeal of any such decision, "Elements of Military Offenses" means the elements of the Offenses required to be proved to the required criminal standard before a member of the New Iraqi Army can be convicted of a Military Offense.

"Junior Disciplinary Officer" means either the officer of at least Captain in rank who at the time of any part of the Disciplinary Proceedings in respect of an allegation under this Code of Military Discipline commands the company or equivalent unit, or battalion or equivalent unit of which the Accused is a member, or the officer of at least the rank of Captain who is appointed, in accordance with the provisions of this Order, by an officer in command of a Brigade to be the Junior Disciplinary Officer of the Accused for the Disciplinary Proceedings,

"Member of the New Iraqi Army" means a person serving in the New Iraqi Army from the time of attestation until the date of termination of service.

"Military Court" means a civilian court with a civilian judge who has been appointed as a Military Judge pursuant to Section 5 of this Order,

"Military Judge" means a civilian judge with jurisdiction over Military Offenses in accordance with the provisions of this Order,

"Military Offense" means an act or omission described in Section 3 of this Code of Military Discipline,

"New Iraqi Army" means the military forces of Iraq organized for the purposes set forth in this Order including all components of the national armed forces of Iraq, specifically including the ground forces recruited, trained, and organized as the first step in the process of creating a military defense force for the new Iraq. Unless the context clearly requires otherwise, all references to the "New Iraqi Army" are references to any element of the national defense forces of Iraq,

"Senior Disciplinary Officer" means either the officer of at least Lieutenant Colonel in rank who at the time of any part of the Disciplinary Proceedings in respect of an allegation under this Code of Military Discipline commands the Battalion of which the Accused is a member, or the officer of at least the rank of Lieutenant Colonel who is appointed, in accordance with the provisions of this Order, by the Commander of the New Iraqi Amy to be the Senior Disciplinary Officer of the Accused for the Disciplinary Proceedings.

## SECTION 2 MILITARY JURISDICTION

- Members of the New Iraqi Army are subject to this Code of Military Discipline at all times from the date of their attestation until the date of termination of service.
- A Member of the New Iraqi Army who is subsequently determined to have been ineligible for service in the New Iraqi Army remains subject to the Code of Military Discipline until discharged.
- 3) All Members of the New Iraqi Army will remain subject to the jurisdiction of the civilian courts while serving as Members of the New Iraqi Army; provided, Members of the New Iraqi Army enjoy immunity from civilian criminal prosecution or civil liability for acts or omissions arising within the scope of their duties and authorized operations to the same degree as other governmental officials.

## SECTION 3 MILITARY OFFENSES

- Any Member of the New Iraqi Army subject to this Code of Military
  Discipline who commits any of the following shall commit a Military Offense and
  shall be liable on conviction to any punishment laid down in Sections 10 and 13 of
  this Order.
  - (a) mistreatment of Members of the New Iraqi Army of inferior rank;
  - (b) causing or engaging in a disturbance or behaving in a disorderly manner:
  - (c) behaving in an insubordinate manner;
  - striking a Member of the New Iraqi Army or a member of another armed force of superior rank or civilian instructor placed in authority over the accused;
  - (e) while on sentry duty either
    - (i) engaging in misconduct, or
    - (ii) failing to do the Member's duty;
  - (f) disobeying a lawful order;
  - (g) drunkenness if, owing to the influence of alcohol or any drug, whether alone or in combination with any other circumstances, the Member is:
    - (i) unfit to be entrusted with his duty,
    - (ii) unfit to be entrusted with any duty which the Member was reasonably aware that he could be called upon to perform,

(iii) behaving in a disorderly manner, or.

(iv) behaving in any manner likely to bring discredit on the New Iraqi Army;

(h) absence without leave;

- avoiding the performance of a duty or negligently performing a duty;
- making a false statement concerning any official matter relating to the New Iraqi Army;

(k) fighting with another Member of the New Iraqi Army;

 willfully or by neglect damaging or causing damage to or the loss of any property of the New Iraqi Army;

(m) conduct to the prejudice of good order or military discipline;

- (n) behaving in a manner likely to bring discredit on the New Iraqi
   Army.
- 2) The Elements of the Military Offenses are contained in Annex A to this Order.
- 3) Any Member of the New Iraqi Army subject to this Code of Military Discipline who commits a civilian criminal offense shall be guilty, by reason of so doing, of a Military Offense against this Section and liable to trial, and on conviction, to any punishment under the provisions of this Order.
- 4) Any Member of the New Iraqi Army subject to this Code of Military Discipline or any other person who by the law of war is subject to trial by a Military Court for any crime or offense against the law of war who commits a violation of the law of war as adopted by Iraq or recognized as customary international law shall be guilty, by reason of so doing, of a Military Offense against this Section and liable to trial, and on conviction, to any punishment under the provisions of this Order. In the event the law of war convention or treaty was adopted without specifying the penalty for violations or otherwise fails to specify the criminal penalty, the maximum penalty shall be the maximum penalty specified for the most closely analogous offense under the civilian criminal code.

## SECTION 4 DISCIPLINARY OFFICERS

Junior Disciplinary Officers have jurisdiction over all Military Offenses
created under this Order, with the exception of the Military Offenses created under
Sections 3(3) or 3(4), in respect of Members of the New Iraqi Army below the
rank of Lieutenant.

- 2) An officer in the New Iraqi Army, not below the rank of Captain may be appointed in writing as a Junior Disciplinary Officer by an officer in command of a Brigade to be the Junior Disciplinary Officer of the accused in respect of the allegation of the commission of any Military Offense.
- 3) Senior Disciplinary Officers have jurisdiction over all Military Offenses created under this Order, with the exception of the Military Offenses created under Sections 3(3) or 3(4), in respect of members of the New Iraqi Army in the rank of Lieutenant and above, so long as the Senior Disciplinary Officer is at least one rank above the Accused. Senior Disciplinary Officers have jurisdiction over all appeals of decisions of Junior Disciplinary Officers.
- 4) An officer in the New Iraqi Army, not below the rank of Lieutenant Colonel may be appointed in writing as a Senior Disciplinary Officer by the Commander of the New Iraqi Army to be the Senior Disciplinary Officer of the accused in respect of the allegation of the commission of any Military Offense.

# SECTION 5 MILITARY COURTS AND MILITARY JUDGES

- 1) Military Courts have jurisdiction over those Military Offenses created under Sections 3(3) and 3(4) of this Order.
- 2) Military Judges have jurisdiction over those Military Offenses created under Sections 3(3) and 3 (4) of this Order.
- 3) In circumstances in which allegations against an Accused involve Military Offenses under both Section 3(1) and Section 3(3) or 3(4), then the Military Court and Military Judge to which such matters are referred will have jurisdiction over Military Offenses under Section 3(1) in addition to those under Section 3(3) or 3(4).
- 4) Military Judges will be selected from sitting civil judges. The Senior Advisor, Ministry of Justice, in coordination with the Interim Minister of the Justice will appoint such civil judges, as he may deem appropriate, to be Military Judges on a standing basis who will sit as Military Judges when a Military Offense is referred to them in accordance with the provisions of this Order.
- 5) A civil court in which a Military Judge is conducting Disciplinary Proceedings in respect of a Military Offense will be deemed to be a Military Court for the duration of those Disciplinary Proceedings.

## SECTION 6 APPELLATE COURTS

In circumstances in which a Member of the New Iraqi Army has been convicted by a Military Court then the appellate court to which any appeal is made will have jurisdiction over any Military Offense referred. Appeals will be made to the appellate court with jurisdiction to hear appeals from the trial court.

## SECTION 7 ARREST

- Any Member of the New Iraqi Army subject to this Code of Military
  Discipline found committing a Military Offense, or reasonably suspected of
  committing a Military Offense, may be arrested in accordance with the provisions
  of this Section.
- 2) A Member of the New Iraqi Army subject to this Code of Military Discipline may be arrested by (a) a Member of the New Iraqi Army of superior rank, (b) by a civilian instructor placed in authority over the accused, (c) by a civilian police officer acting within the officer's authority, or a Member of the New Iraqi Army serving in a provost position.
- 3) As soon as possible, but in any event no later than 24 hours following arrest, the arrested Member of the New Iraqi Army must be informed of the reasons for his arrest.
- 4) Within 24 hours of arrest, unless the exigencies of operational circumstances prevent it, a Disciplinary Officer must be informed of the arrest and must consider the necessity of retaining the Member of the New Iraqi Army in arrest. The Disciplinary Officer shall order the release of the arrested Member of the New Iraqi Army unless he reasonably believes that if released:
  - the arrested Member of the New Iraqi Army will absent himself or flee disciplinary proceedings;
  - (b) there is a risk that evidence will be lost, tainted or destroyed; or
  - (c) the arrested Member of the New Iraqi Army will commit further Military Offenses if released.
- 5) If, in accordance with Section 7(5) of the present Order, the Disciplinary Officer shall have determined that the member of the New Iraqi Army under arrest shall be further retained, the period of such further retention shall not, unless the exigencies of operational circumstances prevent it, exceed 48 hours.

- 6) Except for the exigencies of operational circumstances or the referral of the matter to a Military Court, before the expiration of the period of 72 hours of arrest, the Disciplinary Officer must have either released the Member of the New Iraqi Army under arrest from arrest under this Section or dealt with the allegation of the Military Offense upon which the arrest is based through Disciplinary Officer action or referral to a Military Court.
- 7) In circumstances in which a suitable facility within a military location in which the Accused can be retained under arrest is unavailable, use may be made, with the agreement of the civilian police, of such civilian police or prison facilities as may be available.
- 8) Upon referral to a Military Court, that Military Court will determine whether an Accused shall remain in arrest on the basis of the civil procedures applicable in that court.

### SECTION 8 INVESTIGATION OF ALLEGATIONS

- An allegation that a Member of the New Iraqi Army has committed a Military Offense created under Section 3(1), Section 3(3), or Section 3(4) shall be reported to a Disciplinary Officer, who shall cause each such allegation to be investigated.
- 2) In circumstances involving an allegation of a Military Offense under Section 3(3) or Section 3(4), the Disciplinary Officer will act in accordance with Section 13 of this Order.
- 3) In circumstances in which allegations against an Accused involve Military Offenses under both Section 3(1) and Section 3(3) or Section 3(4), the Disciplinary Officer shall, if the Disciplinary Officer considers it is in the interests of justice for the matters to be tried together, refer all allegations to a Military Judge in accordance with Section 13 of this Order.
- 4) During the course of an investigation into an allegation of a Military Offense under section 3(1), if it becomes necessary to speak to the Accused, the Accused shall be offered the opportunity to have an officer of the member's choice, if reasonably available, and of at least the rank of the investigator present during the conversation to assist the Accused. It shall be explained that the Accused is not obliged to say anything unless the Accused wishes to do so. The answers of the Accused will be written down sequentially, together with the questions asked and the Accused shall have an opportunity to sign the record as accurate.

## SECTION 9 DECISION BY DISCIPLINARY OFFICERS ON CHARGING

- 1) In the case of an allegation against an Accused with respect to of a Military Offense under Section 3(1), the Disciplinary Officer will decide whether the evidence discovered during the investigation would support a Charge being preferred against the Accused.
- 2) If the Disciplinary Officer determines that a Charge should be preferred, the Charge shall be reduced to writing, signed by the Disciplinary Officer and a copy given to the Accused.
- 3) At the same time or as soon as reasonably practicable thereafter the Accused shall be provided a copy of all documentary evidence and access to all real evidence with respect to the charged Military Offense.

## SECTION 10 DISCIPLINARY HEARING

- 1) The Accused shall have at least 24 hours to prepare for the Disciplinary Hearing. The 24-hour period shall begin when the written Charge or copy of the evidence is provided to the Accused, whichever is later.
- 2) The Accused shall have the assistance of an Officer of his choice, subject to reasonable availability, in preparing for and during the Disciplinary Hearing.
- Disciplinary Hearings will not be open to the Public.
- 4) Disciplinary Hearings will be conducted in accordance with the procedures set forth in Administrative Instructions issued by the Administrator of the CPA or by a civilian member of the CPA reporting directly to the Administrator and to whom authority to issue such Administrative Instructions is delegated.
- 5) Disciplinary Hearings shall be conducted in a manner that provides for the basic rights of an Accused, including but not limited to the following rights:
  - (a) the Accused shall have the Charge explained by the Disciplinary Officer:
  - (b) the Accused shall have the right to question witnesses called to give evidence against the Accused;

- (c) the Accused shall have the right to present evidence in support of his case, and if convicted, to present evidence or speak in mitigation of his punishment
- (d) the Accused shall have the right to remain silent and have no adverse consideration taken by the exercise of this right
- 6) A Disciplinary Officer, having considered all the evidence presented to him, will only find an Accused guilty of the Military Offense charged if the Disciplinary Officer is satisfied that Accused committed the Offense in respect of each of the elements of the Military Offense listed in the Annex to this Order.

# SECTION 11 PUNISHMENTS BY DISCIPLINARY OFFICERS

- In adjudicating cases involving enlisted or non-commissioned personnel, a
  Disciplinary Officer may award the following punishments in respect of each
  Military Offense of which the member has been found guilty:
  - (a) Detention for a period not longer than 7 days;
  - (b) Fine not exceeding 14 days' pay;
  - (c) A reprimand;
  - (d) Extra duties to a maximum of 7 days;
  - In respect of a Private First Class, Corporal, or Sergeant, reduction by one rank;
  - (f) Stoppages of pay in respect of damage or loss caused by the act or acts which formed the basis of the Offense charged, not exceeding 14 days' pay.
- 2) A Junior Disciplinary Officer may combine those punishments listed in Sections 11(1)(b) and 11(1)(f), except that no more than 28 days pay may be taken from the convicted member of the New Iraqi Army in respect of all the Offenses dealt with by the Junior Disciplinary Officer at one hearing.
- Detention may only be awarded to a Private, Private First Class, or Corporal. It may not be combined with any other punishment except stoppages of pay.
- 4) Reduction in rank may not be combined with any other punishment.
- A reprimend and extra duties may be combined with any other punishment not otherwise excepted under this Section.

- 6) In adjudicating cases involving officers, a Senior Disciplinary Officer may only award the following punishments in respect of each Military Offense of which the member has been found guilty:
  - (a) Fine not exceeding 14 days' pay;

(b) A reprimand;

(c) Extra duties to a maximum of 7 days;

- (d) Stoppages of pay in respect of damage or loss caused by the act or acts which formed the basis of the Offense charged, not exceeding 14 days' pay.
- 7) A Senior Disciplinary Officer may combine those punishments listed in Sections 11(6)(a) and 11(6)(d), except that no more than 28 days pay may be taken from the convicted Member of the New Iraqi Army in respect of all the Offenses dealt with by the Senior Disciplinary Officer at one hearing.
- 8) A reprimand and extra duties may be combined with any other punishment not otherwise excepted under this Section.

## SECTION 12 APPEAL FROM DISCIPLINARY OFFICER

- 1) An Accused who has been convicted by a Junior Disciplinary Officer of a Military Offense under Section 3(1) of this Code of Military Discipline shall be entitled to appeal to the Senior Disciplinary Officer. An Accused must submit the appeal and any supporting evidence in writing to the officer in command of the convicted member within 14 days of the Disciplinary Hearing.
- 2) An Accused who is an officer of the New Iraqi Army who is convicted by a Senior Disciplinary Officer of a Military Offense under Section 3 (1) of this Code of Military Discipline shall be entitled to appeal to the Commander of the New Iraqi Army or the senior Commander of the New Iraqi Army. An Accused must submit the appeal and any supporting evidence in writing to the officer in command of the convicted member within 14 days of the Disciplinary Hearing.

## SECTION 13 REFERRAL FOR TRIAL BY MILITARY JUDGE

1) In the case of an allegation of a Military Offense under Section 3(3) or Section 3(4) the Disciplinary Officer will refer the allegation, together with all available evidence relating to the allegation, to a Military Judge for consideration.

- Where an investigation into an allegation of a Military Offense under Section 3(1) discovers evidence of additional Military Offenses under Section 3(3) or Section 3(4), the Disciplinary Officer shall terminate the investigation and refer the allegation, together with all available evidence, to a Military Judge for consideration.
- 3) In accordance with Section 8(3) of this Order, where there are allegations against an Accused involving Military Offenses under both Section 3(1) and Section 3(3) or Section 3(4) the Disciplinary Officer shall, if the Disciplinary Officer considers it in the interests of justice for the matters to be tried together, refer all allegations, together with all available evidence, to a Military Judge.
- 4) The Military Judge will investigate and otherwise deal with the allegation of the Military Offense referred in accordance with this Section in the manner applicable for civil Offenses laid down in the Iraqi Law of Criminal Procedure 1971 as amended by Iraqi law and by CPA Orders.

## SECTION 14 PUNISHMENTS BY MILITARY JUDGE

The Military Judge will apply the sentences appropriate to the civil Offense charged under the provisions of Section 3(3) or Section 3(4), except that in determining the appropriate level of sentence within the sentencing range for the Offense, the Military Judge may consider the impact that the Military Offense had on good order and discipline within the New Iraqi Army.

## SECTION 15 APPEAL FROM MILITARY JUDGE

- An Accused who has been convicted by a Military Judge of a Military
  Offense shall be entitled to appeal in accordance with civil procedures.
- 2) The court hearing the appeal will consider the matter appealed in accordance with the applicable law and procedure for civil Offenses laid down in the Iraqi Law of Criminal Procedure 1971 with amendments and as amended by CPA Orders and the Third Edition of the Iraqi Penal Code 1969, with amendments and as amended by CPA Orders.

## SECTION 16 SUSPENSION OF IRAQI LAWS

The Iraqi Military Law Code Number 13 of 1940, the Iraqi Military Procedures Code Number 44 of 1941, the Code of Legal Notification of Military Personnel

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Number 106 of 1960, Punishment of Military Deserters Law Number 28 of 1972, and the Penal Code of the Popular Army Number 32 of 1984 have been suspended under CPA Order Number 21 entitled Creation of a New Iraqi Army.

## **SECTION 17** ADMINISTRATIVE INSTRUCTIONS

The Administrator of the CPA or a civilian member of the CPA reporting directly to the Administrator and to whom such authority is delegated may issue Administrative Instructions not inconsistent with this Order, prescribing all matters that are necessary or convenient for giving effect to or carrying out the purposes of this Order.

## **SECTION 18** ENTRY INTO FORCE

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator

Coalition Provisional Authority

# ANNEX A TO COALITION PROVISIONAL AUTHORITY ORDER NUMBER 23

# CREATION OF A CODE OF MILITARY DISCIPLINE FOR THE NEW IRAQI ARMY

## ELEMENTS OF MILITARY OFFENSES CREATED UNDER SECTION 3

 (a) mistreating in any way Members of the New Iraqi Army of inferior rank;

### Elements:

- 1. an act that amounted to mistreatment; and
- the act was committed by a Member of the New Iraqi Army of superior rank (hereinafter in this subsection "superior rank") on a Member of the New Iraqi Army or a member of another armed force acting with the New Iraqi Army of inferior rank; and
- 3. the superior rank (accused) knew the victim was inferior in rank; and
- 4. the superior rank (accused) deliberately carried out the act; and
- 5. the superior rank (accused) knew that the act amounted to mistreatment

"Mistreatment" means unwarranted, harmful, abusive, rough, or other unjustifiable treatment which, under all the circumstances:

- (a) results in physical or mental pain or suffering, and
- (b) is unwarranted, unjustified and unnecessary for any lawful purpose.
- (b) causing or engaging in a disturbance or behaving in a disorderly manner;

- 1. the accused EITHER
  - (i) caused a disturbance, OR
  - (ii) became involved in a disturbance, OR
  - (iii) behaved in a disorderly manner; and
- 2. the accused acted in such a manner deliberately.

(c) behaving in an insubordinate manner;

### Elements

- the actions OR words of the accused were insubordinate, insulting or disrespectful to a Member of the New Iraqi Army or a member of another armed force of superior rank (hereinafter in this subsection "superior rank") or a civilian instructor placed in authority over the accused; and
- the actions OR words of the accused were used in the presence of the superior or civilian instructor placed in authority over the accused; and
- the accused knew that the superior or civilian instructor placed in authority over the accused was his or her superior or civilian instructor placed in authority over the accused; and
- the accused deliberately spoke or acted in such insulting or disrespectful manner.
- (d) striking a Member of the Iraqi Army, a member of another armed force acting with the New Iraqi Army of superior rank, or civilian instructor placed in authority over the accused (hereinafter in this subsection "superior")

### Elements

- the accused struck a Member of the New Iraqi Army, a member of another armed force acting with the New Iraqi Army, or civilian instructor placed in authority over the accused; and
- the accused had no lawful excuse for striking the superior or civilian instructor placed in authority over the accused; and
- the accused knew that the superior or civilian instructor placed in authority over the accused was his or her superior or civilian instructor placed in authority over the accused; and
- the accused deliberately struck the superior or civilian instructor placed in authority over the accused

"Strike" means an intentional blow, and includes any offensive touching of the person of the superior, however slight.

- (e) while on sentry duty either
  - (i) engaging in misconduct, or
  - (ii) failing to do the Member's duty;

- 1. the accused was on sentry duty; and
- 2. the accused EITHER

(i) deliberately engaged in misconduct, OR

(ii) the accused failed to carry out a duty whether deliberately or by neglect.

## (f) disobeying a lawful order

### Elements

- 1. an order was given to the accused; and
- 2. the order was lawful; and
- 3. the accused was aware of the order having been given to him; and
- 4. the accused deliberately or by neglect did not obey the order.
- (g) drunkenness if, owing to the influence of alcohol or any drug, whether alone or in combination with any other circumstances, the Member is:
  - (i) unfit to be entrusted with his duty,
  - (ii) unfit to be entrusted with any duty which the Member was reasonably aware that he could be called upon to perform;
  - (iii) behaving in a disorderly manner, or;
  - (iv) behaving in any manner likely to bring discredit on the New Iraqi Army;

### Elements

- 1. the accused knowingly took alcohol OR drugs; and
- 2. as a result thereof the accused EITHER
  - (i) was unfit to be entrusted with his duties, OR
  - (ii) was unfit to be entrusted with any duty that he was reasonably aware he could be called upon to perform, OR
  - (iii) behaved in a disorderly manner, OR
  - (iv) behaved in a manner likely to bring discredit on the Defence Force.

## (h) absence without leave

- 1. the accused was required to be at his place of duty; and
- the accused was not at his place of duty; and
- 3. the accused later returned to his place of duty; and
- the accused did not have permission or a reasonable excuse for being away from his place of duty.

(i) avoiding the performance of a duty or negligently performing a duty

### Elements

- 1. the accused had a duty to perform; and
- 2. the accused was aware of that duty; and, EITHER
  - (i) the accused did not perform that duty; and
  - (ii) the accused did not perform the duty either deliberately or by neglect, OR
  - (iii) the accused performed the duty to a poor standard; and
  - (iv) the accused performed the duty to a poor standard either deliberately or by neglect
- (j) making a false statement concerning any official matter relating to the New Iraqi Army

### Elements

- 1. the accused made a statement about official New Iraqi Army matters; and
- 2. the statement was false in a significant way; and
- 3. the accused knew that the statement was false at the time he made it.
- (k) without reasonable excuse, fighting with another Member of the New Iraqi Army;

### Elements

- 1. the accused was involved in a fight; and
- 2. the accused's involvement in the fight was deliberate; and
- 3. the fight was with another Member of the New Iraqi Army; and
- 4. the accused did not have a reasonable excuse for fighting.
- (l) willfully or by neglect damaging or causing damage to or the loss of any property of the New Iraqi Army;

- the accused lost OR damaged property of the New Iraqi Army; and
- 2. that loss or damage resulted from EITHER
  - (i) the deliberate acts of the accused, OR
  - (ii) the neglect of the accused.

(m) conduct to the prejudice of good order or military discipline

### Elements

- 1. an act or omission by the accused; and
- such act or omission was likely to prejudice good order or military discipline
- the accused was aware, at the time of such act or omission, that the same was likely to prejudice good order or military discipline.
- (n) behaving in a manner likely to bring discredit on the New Iraqi Army

- 1. an act or omission by the accused; and
- 2. such act or omission caused discredit to the New Iraqi Army; and
- the accused was aware, at the time of such act or omission, that the act or omission was likely to bring discredit on the New Iraqi Army.

# UNCLASSIFIED

PERSONNEL	METRICS
Police Officers Currently Rehired	61,240
Police Officers Currently On Duty	68,416
Police Officers Fully Trained and Fully Equipped	4,012
Police Officers Completed TIP Training	4,056
Police Officers Completed CPA Approved Academy Training	0
CPA Determined Police Officer Endstate	79,794
CPA Determined Police Officer Endstate	86%

INFRASTRUCTURE	METRICS
Current # of Operational & Open Police Stations	427
MSC Determined Police Station Endstate	480
% Open Police Stations vs. Endstate	89%
Current # of Operational & Open Jails	146
MSC Determined Jails Endstate	130
% of Open Jails vs. Endstate	112%
Current # of Operational & Open Prisons	12
MSC Determined Prison Endstate	24
% of Open Prisons vs. Endstate	50%

RESOURCES	METRICS
Current # of Operational Patrol Vehicles	2,454
CPA Determined Patrol Vehicles Endstate	7,775
% of Operational Police Vehicles vs. Endstate	32%
IPS Uniforms on Hand	61,598
IPS Uniforms Endstate	237,064
% of Uniforms on Hand vs. Endstate	26%
Pistols On Hand	18,335
Pistols At Endstate	79,027
% of Pistols On Hand vs Endstate	23%
Rifles On Hand	24,355
Rifles Required at Endstate	26,063
% of Rifles On Hand vs Endstate	93%
Hand Held Radios On Hand	4,004
Hand Held Radio Endstate	26,340
% of Hand Held Radios On Hand vs. Endstate	15%
Vehicle Radios On Hand	521
Vehicle Radio Endstate	7,705
% of Vehicle Radios On Hand vs Endstate	7%

# UNCLASSIFIED

### COALITION PROVISIONAL AUTHORITY ORDER NUMBER 26

## CREATION OF THE DEPARTMENT OF BORDER ENFORCEMENT

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Recognizing that border controls are essential to the establishment of a free and safe Iraq,

Recognizing that previous border functions were carried out by five different government entities within the former Iraqi regime, and that the former Iraqi regime often used these functions as tools to oppress the interests of the Iraqi public,

Recognizing that it is desirable as soon as possible to restore the normal transit and movement of people and commercial goods to and from Iraq,

Recognizing that such transit must be restored in a way that protects the security and safety of the Iraqi public people and others lawfully present in Iraq,

I hereby promulgate the following:

# Section 1 Establishment of the Department of Border Enforcement

- There shall be established the Department of Border Enforcement for Iraq as a department within the Ministry of the Interior.
- The Department of Border Enforcement will monitor and control the movement of persons and goods to, from, and across the borders of Iraq.
- 3) The Department of Border Enforcement shall conduct its activities consistent with all applicable CPA Regulations, Orders, and Memoranda, including CPA Order 16 regarding the Temporary Control of the Iraqi Borders, Ports and Airports, and all Iraqi laws regarding immigration, emigration, customs and quarantine, including the Customs Law of 1984, unless specifically suspended by the CPA.

# Section 2 Responsibilities of the Department of Border Enforcement

- 1) Full authority, direction and control over all border-related functions formerly exercised by the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Interior, the Ministry of Defense and the Presidential Office, including border police, customs police, customs inspections, immigration inspections, border port of entry facilities protection, detention and deportation, coastal patrol, airport immigrations and customs processing, passport issuance and inspections, and nationality and civil affairs functions, are hereby vested in the Department of Border Enforcement. The Ministry of Foreign Affairs retains the limited authority to issue diplomatic and official passports necessary for official travel.
- 2) All facilities, equipment, and vehicles engaged in border-related functions that were previously under the authority of the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Interior, the Ministry of Defense, or the Presidential Office, all employees thereof, and all related funds for such functions or payroll, are hereby transferred to the Department of Border Enforcement. The Ministry of Foreign Affairs will retain such facilities and equipment as are necessary to accomplish the limited responsibility of issuing diplomatic and official passports.

# Section 3 Cooperation Among Ministries and Governmental Offices

The Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Interior, national defense agencies, the Presidential Office and the Department of Border Enforcement, and all other relevant organs of government, shall cooperate in this effort, including prescribing, under the authority, direction and control of the CPA, any administrative procedures necessary to carry out this Order. The Ministry of Finance, under the authority, direction and control of the CPA, shall be responsible for developing policy regarding border-related revenue functions.

## Section 4 Administrative Instructions

The interim Minister of the Interior, with the concurrence of the CPA Director of Interior Policy, may issue such Administrative Instructions as are necessary to carry out the purposes of this Order.

## Section 5 Entry into Force

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator

Coalition Provisional Authority

# COALITION PROVISIONAL AUTHORITY ORDER NUMBER 16 TEMPORARY CONTROL OF IRAQI BORDERS, PORTS AND AIRPORTS

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA) and the laws and usages of war, and consistent with relevant U.N. Security Council Resolutions, including 1483 (2003),

Recognizing that it is desirable as soon as possible to restore the normal transit and movement of people to and from Iraq,

Acknowledging that the Iraqi laws on immigration, customs and quarantine should remain in place unless exceptions prove necessary for security reasons or otherwise to accomplish the obligations of the CPA under the laws and usages of war,

Noting that the current security situation in Iraq does not permit the unrestricted resumption of normal transit and movement,

I hereby promulgate the following:

### Section 1 Definitions

- "Authorized officer" means any Coalition personnel or Iraqi officials designated by the CPA to perform border control, customs or quarantine services.
- 2) "Coalition personnel" means all non-Iraqi military and civilian personnel under the authority of the Coalition Forces Commander, as well as all non-Iraqi military and civilian personnel assigned to, or under the direction or control of, the Administrator of the CPA.
- 3) "Goods" means any substance, organism, article, or thing, whether manufactured or natural, which may be moved across the borders of Iraq and which is not a human body, a cadaver or human remains.
- 4) "Member of a crew" means a person, including a master, who is employed on a vehicle to perform duties during a voyage or trip related to the operation of the vehicle or the provision of services to passengers.
- 5) "Terrorism" means the use or threatened use of unlawful violence against civilians, noncombatants, or other innocents, calculated to cause fear or to coerce or intimidate governments or societies, and motivated by political, religious, or ideological goals.

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- 6) "Terrorist organization" means an organization whose objective is to support or commit acts of terrorism, directly or indirectly, physically or financially.
- 7) "Transportation company" is any corporation, enterprise or other entity transporting persons to Iraq.
- 8) "Travel documents" means documents required by the CPA for entry into and exit from Iraq and may include a valid Iraqi passport or an internationally recognized document proving Iraqi citizenship, a valid entry or exit visa, and travel permits issued by an authorized travel permit issuing authority.
- "Vehicle" means any conveyance that may be used for transportation by land, water or air.

## Section 2 Preservation of Laws

- All Iraqi laws regarding immigration, emigration, customs and quarantine shall remain in force unless specifically suspended by this Order.
- 2) Wherever a stipulation or provision of this Order or any other CPA Regulation, Order or Memorandum conflicts with a current provision of Iraqi immigration, emigration, customs and quarantine laws, the stipulation or provision contained in such Regulation, Order or Memorandum shall prevail.
- 3) The edict of the former President Saddam Hussein regarding the expiration of "N" series passports issued during the years 1996 to 2002, fixing their expiration in the year 2003, is hereby suspended. All "N" series passports will continue in effect for their statutory duration.
- 4) All Iraqi passports that have expired within the last four years will be deemed valid until December 31, 2003 for the exclusive purpose of direct return travel to Iraq, with such travel to be completed by December 31, 2003. Such a passport will not be considered valid for any other purpose.
- 5) All current Iraqi passports that have a four-year expiration period may be extended to eight years by any travel permit issuing authority. Any passport purporting to have been issued after March 19, 2003 that does not bear a CPA stamp is invalidated.

## Section 3 Right to Exit

- Subject to compliance with Iraqi law and with border control procedures
  established from time to time by the CPA, all persons may exit from Iraq,
  provided they are in possession of necessary travel documents and are not subject
  to any travel restrictions under applicable law including this Order.
- 2) The following persons shall require special clearance to exit Iraq and may be prevented from exiting at the discretion of the Senior Advisor of the Ministry of the Interior, in coordination with the Interim Minister of the Interior, when appointed [hereinafter Interim Minister of the Interior]:
  - a) Senior regime or military leadership and Senior Party Members or office holders of the Ba'ath Party, as described in CPA/ORD/16 May 2003/01;
  - b) Persons suspected of having committed serious crimes;
  - c) Persons who are known or are suspected to have links to a terrorist organizations or who are suspected to have committed or to have provided financial, material, or technological support for acts of terrorism; and
  - d) Persons suspected of being involved with the manufacture, development, research, or transfer of technology or material related to weapons of mass destruction; or having knowledge of the location of weapons of mass destruction, or the identity of persons with such knowledge.

# Section 4 Examinations for Entry

- 1) Subject to the present Order, a person seeking entry to Iraq shall appear before an authorized officer of the CPA (hereinafter "officer") at a port of entry, border control station or at such other place as may be designated by the Senior Advisor of the Ministry of Interior, in coordination with the Interim Minister of the Interior, for examination to determine whether the person may be granted entry to Iraq.
- 2) A person appearing for examination shall answer truthfully all questions put to that person and shall produce such documentation as may be required for the purpose of establishing whether the person may be granted entry.

## Section 5 Permits to Enter Iraq

- Persons seeking entry to Iraq are to be classified as either persons who require
  permits granting entry into Iraq (hereinafter "permits") or persons who do not
  require such permits. Officers shall issue permits valid for up to 90 days, in
  accordance with this Order and with applicable law.
- 2) Persons not requiring permits to enter Iraq are all those persons not otherwise denied permits under this Order who are a) citizens of Iraq or persons who were born in Iraq, b) Coalition personnel, or c) United Nations officials or any official of any other UN organization. Persons requiring permits are all persons who are not listed in this Section 5.2.
- Permits may be obtained and issued from any Iraqi embassies that have reopened, and from CPA offices established for this purpose within Iraq.

### Section 6 Powers of an Officer

- An officer who receives an application for a permit shall either approve or refuse the application, and shall notify the applicant of the decision. At any time after an application for a permit is approved, the officer may:
  - Alter or revoke any terms and conditions subject to which the person was granted entry;
  - Add terms and conditions as prescribed by the present Order and other CPA Regulations, Orders or Memoranda; and/or
  - c) Extend the permit.
- 3) Subject to the present Order, a visitor seeking an extension of a permit shall appear before an officer at such place as may be designated by the CPA Senior Advisor of the Ministry of the Interior, in coordination with the Interim Minister of the Interior, for examination to determine whether the visitor may be granted an extension of a permit.
- 4) A visitor appearing for examination shall answer truthfully all questions put to that visitor and shall produce such documentation as may be required for the purpose of establishing whether the visitor may be granted an extension of a permit.

# Section 7 Persons Who May be Denied Entry to Iraq

- 1) An officer who receives an application for a permit may refuse the application if the officer has reasonable grounds to believe that the applicant:
  - knowingly provided any false, misleading, or inaccurate information in the course of the application process;
  - is suffering from any serious communicable disease, or is suffering from any disorder, disability or other health impairment for which commercial health services are not readily available in Iraq;
  - will be unable or unwilling to support themselves, and those persons who are dependent on the applicant;
  - d) is or was a member of a criminal organization;
  - e) will commit offenses, or engage in criminal activity planned and organized by persons acting in concert with or in furtherance of the commission of any offense;
  - f) will engage in or has engaged in an act of terrorism, or is a member of a terrorist organization or an organization that there are reasonable grounds to believe will:
    - i) engage in acts which are offensive to the principles of democratic government, institutions or processes, in Iraq; or
    - ii) engage in or instigate the removal by force of any government;
  - g) will engage in acts of violence that may endanger the lives or safety of persons in Iraq, or who is a member of an organization that engages in such acts;
  - h) has committed acts or omissions that constituted a war crime or a crime against humanity; or
  - has previously been deported from, or denied entry to, Iraq by the CPA, or an international territory with border control formalities.

- 2) In exercising the discretion set out in this Order, an officer shall consider whether the entry of the person poses a substantial risk to the people or interests of Iraq or in the case of a person who has established that he or she is an Iraqi national, whether entry should be denied because of security or military necessity;
- 3) A person denied entry under this Order may appeal to the Senior Advisor of the Ministry of Interior and the Interim Minister of the Interior for a review of the case. The determination of the Senior Advisor of Ministry of the Interior, in coordination with the Interim Minister of the Interior, will be final.

## Section 8 Notice to Depart

- Where an officer, upon examination of a person, is of the opinion that it would be contrary to the present Order to grant entry to the person, or to extend the permit of a person, the officer may, as appropriate:
  - a) allow that person to leave Iraq immediately; and/or
  - serve that person with a Notice to Depart (hereinafter "Notice") within a specified period.
- 2) A Notice must specify:
  - a) that the person must depart Iraq within a specified period;
  - b) the reasons why the Notice is being served;
  - c) that the person may object in writing to the Senior Advisor of the Ministry of Interior and the Interim Minister of the Interior within a specified time to this Notice, or give reasons why the Notice should not remain in force; and
  - d) that timely compliance will not have adverse consequences for the return of a person who otherwise complies with entry requirements.
- 3) Where the Senior Advisor of the Ministry of Interior or the Interim Minister of the Interior receives written objections from a person under this Order, the Senior Advisor of the Ministry of the Interior shall, in coordination with the Interim Minister of the Interior:
  - a) consider these promptly;

- b) promptly determine the fair and lawful resolution of the matter; and
- c) advise the person in writing of the decision.

### Section 9 Revocation of a Permit

- 1) An officer may revoke a person's permit if:
  - a) the circumstances that formed the basis of the approval of the person's application for the permit no longer exist:
  - b) the person breaches a prescribed term of the permit, or another person required to comply with a condition of the permit has not met that condition;
  - c) the presence of the person in Iraq is, or would be, a risk to the health, safety or good order of the Iraqi community; or
  - d) the permit should not have been granted because the application for the permit was in contravention of the present Order or other applicable law.

## Section 10 Identification and Seizure of Documents

- Persons shall comply with the instructions of an officer regarding their identification if they a) seek entry into Iraq, b) make an application for the renewal of a permit, c) after being arrested or having been reported to a police officer, or other CPA or Coalition Force security personnel, or d) are subject to deportation under this Order.
- 2) For the purpose of identification, an officer may:
  - a) search persons or vehicles whom the officer believes have not revealed their identity or who have hidden on or about their person documents that are relevant to a decision as to whether they may be granted permission to enter Iraq, and may search any vehicle that conveyed the persons to Iraq and their luggage and personal effects;
  - b) search persons whom the officer reasonably believes have committed, or who are in possession of documents that may be used in the commission of an offense, and search any vehicle that conveyed the person to Iraq and their luggage and personal effects;

- c) examine at a port of entry or any other place in Iraq, for the purpose of this Order or relevant directives, any travel document or any other document or object purporting to be any of those documents or objects that is, or is about to be, imported into or exported from Iraq.
- 3) An officer may seize and hold at a port of entry or any other place in Iraq any object or document if the officer reasonably deems this necessary for the discharge of the functions of the officer under this Order.
- 4) An officer may seize and hold any object or document if the officer reasonably believes that it has been fraudulently or improperly obtained or used, or that such action is necessary to prevent its fraudulent or improper use.
- 5) An officer shall provide a written receipt to any individual from whom he seizes an object or document under this Order.

### Section 11 Search of a Person

- 1) An officer may, without a warrant, search a person who seeks entry to Iraq.
- 2) The search of a person must be made by an officer pursuant to the present Order and must be made on reasonable grounds.
- 3) No person shall be searched by a person who is not of the same sex, and if there is no officer of the same sex at the place at which the search is to take place, an officer may authorize any suitable person of the same sex to perform the search.

### Section 12 Search and Seizure of Goods

- 1) An officer may, without a warrant, search the vehicle, luggage or personal effects of any person who seeks entry into Iraq.
- Persons crossing the borders of Iraq must make declarations or manifests of all goods being carried by the person available to an officer on request.
- 3) An officer may confiscate any goods that may pose a threat to the peace, security, health, environment, or good order of Iraq or any antiquities or cultural items suspected of being illegally exported.
- 4) Goods that are not declared may be confiscated by an officer. Persons may also be

ordered to return such goods, at their expense, to the jurisdiction from which they came.

5) Any goods confiscated must be immediately handed over to the Senior Advisor of the Ministry of Interior and the Interim Minister of the Interior, or to delegate(s) selected and agreed upon by the Senior Advisor and the Interim Minister, and a receipt must be issued to the person from whom the goods are confiscated.

### Section 13 Offenses

- 1) The following shall constitute an offense under this Order:
  - a) failure to appear before an officer for examination as required by this Order;
  - failure to answer truthfully all questions put to that person by an officer during examination;
  - c) failure to produce documentation as may be required by the officer during examination;
  - d) failure to make a declaration or manifest of all goods being carried by the person on request by an officer;
  - e) failure to cooperate with a search of the person or search of the person's vehicle, luggage or personal effects pursuant to this Order;
  - f) knowingly making a false representation by reason of which a person is induced to seek entry to Iraq or is assisted in any attempt to seek entry or by reason of which that person's entry is procured;
  - g) entering Iraq or remaining in Iraq without a permit, where a person requires a permit;
  - h) entering Iraq or remaining in Iraq by use of a false or improperly obtained travel document or other document pertaining to the entry of that person or by reason of any fraudulent or improper means or misrepresentation of any material fact;
  - i) breaching a prescribed term of a permit;
  - j) escaping or attempting to escape from lawful custody or detention

under the present Order and relevant directives; or

k) organizing or facilitating the entry or proposed entry into Iraq of a person, knowing the person would, upon entering Iraq, be guilty of an offense under this Section.

### Section 14 Penalties

A person who commits an offense described in this Order is liable to have any goods in their possession confiscated and may be deported from Iraq. The person may also be liable to a penalty prescribed in an applicable Iraqi law or CPA Order, Regulation or other directive.

## Section 15 Liability for Removal Costs

- 1) A transportation company shall ensure a) that the persons it conveys to Iraq are in possession of all travel documents required by applicable law, b) that upon arrival of each one of its vehicles in Iraq, present each person to an officer for examination at such place as may be designated by an officer and c) that no other person leaves the vehicle:
  - a) at any place other than that designated by an officer; or
  - b) until permission has been granted by an officer.
- 2) Where a person has been allowed or required to leave Iraq pursuant to this Order, a transportation company that has conveyed the person to Iraq may be required by an officer to cause that person to be conveyed to the country from which that person came, or to such other country as the officer may approve at the request of the company.
- 3) Where a person has been required to leave Iraq because at the time of the arrival in Iraq the person was not in possession of a valid travel document required by applicable law, a transportation company that has conveyed the person to Iraq shall be liable to pay all costs of conveying that person to the country from which that person came, or to such other country as an officer may approve at the request of the company.
- 4) Where a person has been granted entry to Iraq, or where that person, at the time of arrival in Iraq, was in possession of a valid travel document, and where that person is required to leave Iraq pursuant to the present Order, a transportation company

that has conveyed the person to Iraq and that is required to cause that person to be conveyed from Iraq is entitled to be reimbursed by the Senior Advisor of the Ministry of the Interior, in coordination with the Interim Minister of the Interior, for the costs of conveying that person from Iraq. However a transportation company shall not be reimbursed for the costs of conveying from Iraq a person who enters Iraq as, or to become, a member of a crew.

5) Where a person enters Iraq as, or to become, a member of a crew of a vehicle and ceases to be a visitor, the transportation company that operates that vehicle may be required to cause that person to be conveyed to the country from which that person came, or to such other country as the Senior Advisor of the Ministry of the Interior, in coordination with the Interim Minister of the Interior, may approve at the request of the company. The transportation company shall be liable to pay all costs of conveying that person from Iraq.

### Section 16 Other Offenses

- 1) Where an officer has reasonable grounds to believe that a person who seeks entry to or exit from Iraq, or who seeks to remain in Iraq, is liable for an offense committed under applicable law in Iraq, other than an offense prescribed in this Order, the officer shall report the matter immediately to security forces, who may take such action as they deem appropriate.
- 2) Where the circumstances of the case require, an officer may arrest a person suspected of having committed an offense other than an offense prescribed in this Order. The arrest must be immediately reported to the Senior Advisor of the Ministry of Interior and the Interim Minister of the Interior, and the arrested person must, as soon as possible but no later than six hours after the arrest, be delivered into the custody of security forces.

### Section 17 Review

A person against whom an adverse decision has been made by an officer under this Order may apply in writing to the Senior Advisor of the Ministry of the Interior and the Interim Minister of the Interior for a review of the decision. Within seven days of receipt of the application, the Senior Advisor of the Ministry of the Interior, in coordination with the Interim Minister of the Interior, shall review the decision and notify the applicant of the determination.

## Section 18 Entry into Force

This Order shall enter into force on the date of signature.

L. Paul Bremer, Administrator

Coalition Provisional Authority

# COALITION PROVISIONAL AUTHORITY ORDER NUMBER 27 ESTABLISHMENT OF THE FACILITIES PROTECTION SERVICE

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003).

Noting that Resolution 1483 appeals to Member States to assist the people of Iraq in their efforts to reform their institutions and rebuild their country and to contribute to conditions of stability and security in Iraq,

Understanding the need to preserve the facilities of the government ministries of Iraq,

Recognizing the need for a body of trained and appropriately equipped personnel that can contribute to efforts to protect the governmental installations of Iraq.

I hereby promulgate the following:

## Section 1 Establishment of the Facilities Protection Service

This order establishes the Facilities Protection Service (FPS). The FPS is an organization of trained, armed, uniformed entities charged with providing security for ministry and governorate offices, government infrastructure, and fixed sites under the direction and control of governmental ministries and governorate administrations.

# Section 2 Organization of the FPS

1) Governmental employees employed by the ministries or governorates are eligible to serve in the FPS. The FPS may also consist of employees of private security firms who are engaged to perform services for the ministries or governorates through contracts, provided such private security firms and employees are licensed and authorized by the Ministry of Interior as provided in Section 7 herein. Persons who have participated in Ba'ath Party activity within the leadership tiers described in CPA Order Number 1, De-Baathification of Iraqi Society (CPA/ORD/16 May 2003/01) may not serve in the FPS in any capacity except by the express grant of an exception by the Coalition Provisional Authority.

- 2) Ministers and heads of governorate administrations shall determine the need for FPS members at locations under their supervision. Each ministry or governorate administration is responsible for ensuring the FPS branch under its supervision is sufficient to protect key sites for which it is responsible, with the additional support of police or other forces in times of emergency.
- 3) Ministries and governorate administrations are responsible for the funding of FPS members assigned to their agency. Ministries and governorate administrations are responsible for the supervision and control of the FPS force assigned to their governmental agency, consistent with the standards and regulations established by the Ministry of Interior.
- 4) Governorates will establish Regional Operations Centers to coordinate the operations of FPS guards and to ensure their proper integration with police and other emergency services.
- 5) The Ministry of Interior will establish standards and training for the FPS including standards and training for private security firms performing FPS duties pursuant to contracts. Pursuant to this Order, the Ministry of Interior will issue FPS Administrative Instructions defining the standards for dress, training, certification, and deportment. All members of the FPS whether contracted or employed directly by the governmental agency are required to comply with the Administrative Instructions issued by the Ministry of Interior.
- 6) FPS organizations may be known by different names including, for example "Electricity Police," "Diplomatic Protective Services," or "Oil Police" but each will have only the specific powers and authorities granted in this Order.
- 7) Members of the FPS may not participate in any manner in organizations or activities that advocate racial, gender or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, gender, religion, or regional origin; or use, or advocate the use of, force or violence or other unlawful means to achieve internal political goals. Violations may result in the removal of the member from employment in the FPS or the withdrawal of the authorization for the member to perform FPS responsibilities as a member of a private security firm.

# Section 3 Authority of the FPS

 Members of the FPS may, while performing their official duties, apprehend persons who (i) they witness committing or attempting to commit a criminal offense, (ii) have escaped after being lawfully arrested, or (iii) otherwise interfere with their lawful activities. Persons apprehended by the FPS must be turned over to the Iraqi police or Coalition Forces within twelve hours of apprehension or be released.

- 2) Members of the FPS may, while performing their official duties, conduct reasonable searches for weapons or other dangerous or prohibited items of persons entering or within the governmental property or offices they are securing, criminal suspects in their custody, or vehicles entering or within the governmental property or offices they are securing.
- 3) Members of the FPS may, while performing official duties, use force against persons or things as is reasonable and necessary under the circumstances. However, the use of force that may be likely to cause death or serious bodily injury is not permitted unless the member reasonably believes that using such force is necessary to: (i) protect himself or others from the imminent use of deadly force or force likely to cause serious bodily injury, (ii) prevent the escape of a person suspected of committing murder or assault resulting in serious bodily injury, or (iii) defend ministry or governorate offices, government or state-owned infrastructure, and fixed sites under the direction and control of governmental ministries and governorate administrations, to prevent their destruction or incapacitation.

## Section 4 Jurisdiction

- Members of the FPS will be subject to Iraqi law at all times, and the courts of Iraq shall have jurisdiction over offenses alleged to have been committed by members of the FPS. The Administrator of the CPA may determine that offenses alleged to have been committed by members of the FPS while on duty may be submitted to the Central Criminal Court of Iraq in accordance with CPA Order Number 13 (Revised), The Central Criminal Court of Iraq (CPA/ORD/13 July 2003/13).
- 2) Members of the FPS shall enjoy immunity from civil liability for acts or omissions arising within the scope of their duties and in the conduct of authorized operations to the same degree as other governmental officials under the law of Iraq.

## Section 5 Weapons

The possession of weapons by members of the FPS is regulated by CPA Order Number 3, Weapons Control Order (CPA/ORD/23 May 2003/03).

# Section 6 Licensing Private Security Firms

Private firms may provide contract FPS guards to ministries or governorates under license from the Ministry of Interior. Members of the FPS from private security firms will be integrated into Governorate coordination structures.

## Section 7 Administrative Instructions

The Administrator of the CPA or the Minister of the Ministry of Interior, in consultation with the CPA Director of Interior Policy, may issue Administrative Instructions consistent with this Order, prescribing all matters that are necessary or appropriate for giving effect to or carrying out the purposes of this Order.

Section 8
Entry into force

This Order shall enter into force on the date of signature.

59/4/03

L. Paul Bremer, Administrator Coalition Provisional Authority

#### **IRAQI SECURITY FORCES RULES FOR THE USE OF FORCE**

NOTHING IN THESE RULES LIMITS YOUR INHERENT RIGHT TO TAKE ACTION NECESSARY TO DEFEND YOURSELF, YOUR UNIT, AND OTHER SECURITY FORCES.

- CIVILIANS: Treat Civilians with Dignity and Respect. Make every effort to avoid civilian casualties.
- COALITION FORCES: Cooperate with Coalition forces and obey their commands. Do not avoid or run Coalition checkpoints. Do not aim weapons at Coalition Forces.
- USE OF DEADLY FORCE: Deadly force is that force which one reasonably believes will cause death or serious bodily harm. You may use NECESSARY FORCE, up to and including deadly force, against persons in the following circumstances:
  - a. In self-defense,
  - b. In defense of your unit, or other Security Forces;
  - c. To prevent serious offenses against persons,
  - d. In defense of designated property and infrastructure.
- GRADUATED FORCE: When possible, use a graduated response to hostile persons. The following are some techniques you may use if appropriate.
  - a. SHOUT; verbal warnings to HALT in native language.
  - b. SHOVE; physically restrain, block access, or detain.
  - c. SHOW; your weapon and demonstrate intent to use it.
  - d. SHOOT; to remove the threat only where necessary.

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02 October 2003

#### **IRAQI SECURITY FORCES RULES FOR THE USE OF FORCE**

NOTHING IN THESE RULES LIMITS YOUR INHERENT RIGHT TO TAKE ACTION NECESSARY TO DEFEND YOURSELF, YOUR UNIT, AND OTHER SECURITY FORCES.

- 5. IF YOU MUST FIRE YOUR WEAPON:
- (1) Fire only aimed shots.
- (2) Fire with due repard for the safety of innocent byslanders.
- (3) Fire no more rounds than necessary.
- (4) Immediately report incident and request assistance.
- CROWDS: Control civilian crowds, mobs, or ricters interfering with Security Forces with the
  minimum necessary force. When circumstances permit, attempt the following steps to control
  crowds:
  - a. Give verbal warnings to HALT.
  - b. Use a show of force, including riot control formations.
  - c. Detain violent offenders and those inciting violence
  - d. Use reasonable force necessary under the circumstances and proportional to the threat.
- 7. DETAINEES: You may stop, detain, search, and disarm persons as required to accomplish your mission or protect persons or designated property. Detainees will be turned over to the traquity Police or Military Police as soon as possible. Detainees will be treated humanely.

UNCLASSIFIED

02 October 2003

قواعد استعمال القوة للامن العراقي لا يوجد شي في هذه الاحكام يحدد حقوقك الموروثة لاتخاذ ما يلزم للدفاع عن نفسك عن وحدتك أو عن أي قوات امنية.

- 5. أذا استوجب اطلاق الثار:
- 1. سدد سلاحك نم اطلق الثار.
- 2. أطلق النار مع الانتباء الى الابرياء والمتفرجين.
  - 3. لاتطلق النار اكثر مما هو ضروري.
  - 4. بلغ عن الحدث بسرعة واطلب المساعدة.
- الزحام: عليك السيطرة على الازدهام الذي يسببه المدنييون, والغو غانيون, والمشاغبون الذي يعيق قوى الامن بالقوة الضرورية, وعندما تسلح الفرص قم بالمحاولات التالية للسيطرة على الزحام.
  - أ. اعظ الاندار الشفهي للوقوف.
- ب. استعمل عرض القوة, من ضمنها تشكيلات السيطرة على القوضي.
  - ج. اعتقل المنتهكين و العنيفين والمحرضين على العف.
    - د. استعمل القوة الضرورية المناسبة لظرف التهديد.
- 7. المحقلون: يجب عليك ان توقف, وتعقل, وتفتش, وتنزع السلاح من الاشخاص كما هو مطلوب الكمال مهمتك او حماية الاشخاص او الممتلكات الخاصة, المحتقلون سوف يسلمون الى قوى الامن العراقي (الشرطة) بالسرعة الممكنة, المعتقلون يجب ان يعاملوا معاملة انسانية.
- غير معظور من الاطلاع عليه . الثاني من تشرين الاول, 2003

قواعد استعمال القوة للامن العراقي لا يوجد شي في هذه الاحكام يحدد حقوقك الموروثة لاتخاذ ما يلزم للدفاع عن نفسك عن وحدتك إو عن اي قوات امنية.

- المدنيون: طيك ان تعامل المدنيين يوفار واحترام. طيك القيام باي جهد لمنع الحاق الإصابات بالمدنيين.
- قوات التحالف: عليك التعاون مع قوات التحالف واطاعة او امرهم. لا تتجنب او تهرب من نقاط التفتيش, لا توجه سلاحك نحو قوات التحالف.
- 3. استعمال القوة المميتة: القوة المميتة هي القوة التي عند استعمالها يعتقد الفرد انها قد تسبب الموت او اذى جمعماتي بليغ. يجب عليك استعمال القوة الضرورية, او الى حد القوة التي تسبب الموت في الحالات والظروف التالية:
  - أ . الدفاع عن النفس.
  - ب. للدفاع عن وحدتك، او قوات امنية اخرى.
    - ج . لمنع هجوم خطير ضد أشخاص.
  - د . للدفاع عن المعتلكات الخاصة أو البنية التحتية.
  - إ. القوة التدريجية: عند الامكان, استعمل القوة بالتدريج مع الشخص المعادي. أدناه بعض الطرق التي يجب اتباعها في الحالات الملائمة
    - أ. الصراخ: الانذار بالكلام باللغة المحلية للتوقف.
      - ب. الدقع: امنع بدنيا, سد المدخل أو اعتقل.
    - ج. اطلاق النار: لازالة التهديد فقط عند الضرورة.