

***Is the security situation in Iraq improving?*¹**

According to US General David H. Petraeus, the top U.S. commander in Iraq who has been nominated to head American forces in the Middle East, the security situation in Iraq has improved significantly since September 2007, even though the progress that has been made since spring is “fragile and reversible”. In other words, the surge is showing effect. French Minister of Foreign Affairs Bernard Kouchner during his visit to Baghdad on 1 June expressed the feeling “ that things are better as statistics show a drop in security incidents.” Is this assessment shared by the EU institutions? How should the EU’s involvement in Iraq develop and what can we expect from the French presidency? Finally, what will change under the new US administration (McCain or Obama) and (how) are the US presidential election already influencing the US policy in Iraq?

In the EU, the problem with Iraq and the problem with the Lisbon Treaty are part of the same agonising debate that the EU seems to go through concerning a moving away from a status quo and at the same time moving towards an international role. For most people in the EU it was not clear what the issue was in Iraq, but for a majority it was quite clear that one should not be there. Which brings Nick Cohen’s book “ What’s left?”² to mind where the question is asked: does that mean we were all quite happy with Saddam Hussein and were we prepared to just let him carry on doing what he was doing to his people? This is similar to the question: should we just forget the Treaty of Lisbon and let the EU carry on meddling along with 27 member states and expect it to do things for us without giving it the means to do them. Both issues have everything to do with a massive lack of leadership within the EU, leadership in the Commission and the other EU-institutions, but mostly leadership with regard to explaining issues to the electorate. The EU’s inability to put pressure on the Bush administration concerning the reason why he wanted to go to Iraq and what he was going to do there was one of the signs of the EU’s lack of leadership.

Iraq, like most states in the Middle East, was created by dictum not by popular demand. To that extent, Iraq never had its war of independence, its moment of creation. It was told it was created. First in a mandate and after the Second World War by UN dictum. How do we mutate the current situation, which we can call a civil war, into a war of independence, into one that forges the Iraqi people together or at least gives them a sense of creation? We look at it from the outside and say that Iraq looks like a coherent

¹ Guest speakers were **Ilana Bet-El**, academic, author and policy adviser, Brussels; **Karin Gatt-Rutter**, European Commission, DG External Relations, unit F2, Iraq Desk; **Ivana Vuco**, independent consultant, formerly deputy head of human rights office with the United Nations Assistance Mission for Iraq (UNAMI) and **William H. Wiley**, Director (Rule of Law), Tsamota Ltd, International Law Advisor, Iraqi High Tribunal (2006-2008). The debate took place under Chatham House Rule. The opinions expressed do not necessarily represent the opinions of the Heinrich Böll Stiftung.

² Nick Cohen: What’s left? How liberals lost their way. 4th Estate 2007.

geographic entity. Who says that the Iraqi people feel the same way? Nobody ever asked them before. Iraq cuts across many regional Arab and Muslim issues. Politically you have the split in the historic Baath Party, the secular political party, between Syria and Iraq. You have the issue of leadership in the Arab world which Iraq had assumed alongside Egypt on the Sunni side. Iraq lost that leadership. Egypt did not show any leadership over what was happening in Iraq. There is a rebounding of power not only in the Arab world, but also within the Muslim world. The greatest conflict within Iraq is that between the Sunni and the Shia which brings into balance the great conflict between the Arab and the Muslim world because other leader of the Shia is Iran, which is not an Arab nation, but a Muslim nation. Whereas Iraq once was part of the Sunni world and is no longer. Raising all these issues shows the folly of the invasion and the idea that one will „just bring democracy“. Instead, it has destabilised the region. In addition, we have now two and a half million refugees remaining in Syria and in Jordan which further physically destabilises surrounding countries. The question for the EU is not, is it a good or a bad thing to go there, but can you afford to ignore this. Given that Iraq is in the Middle East and that the Middle East is not, as some people in the EU seem to think, way out there in Asia, near China, that it is, in fact, entirely on our border and given the massive destabilisation in that region we cannot close our eyes to this.

Security and stability

From an international perspective we are now in the paradoxical situation that the US forces and the international military presence plus the whole network of NGOs have become a stabilising influence because they are the only non-mutating element in Iraq at this specific point in time. One of the greatest follies the US committed when they invaded Iraq was that they deleted the entire administration along with the military leadership and just left the religious leadership in tact which, of course, was destabilising. Now the only stabilising factor is, in fact, the US and international presence which means that they cannot possibly withdraw at this moment in time. General Petraeus, a good general, says that the security incidents are dropping and Kouchner agrees with him. This can be attributed to a much more intelligent use of military force which is what the surge was. What the surge did was specifically focusing on neighbourhood, specifically on giving people a sense of security in their neighbourhoods and, therefore, to undermine those forces in the neighbourhoods who were working on destabilisation.. So, the military force worked on hearts and minds, and, equally, people within Iraq after five years, have realised they have no option, they have nowhere to go. The rest of the world is not taking them. Syria and Jordan want them out as soon as possible. So they either start to sort themselves out because - physically and literally - they are stuck. These are the two major causes.

Still, we have to differentiate between the military and what Petraeus called the civilian surge. Petraeus said prior to the surge that it would not work if there was not contemporaneously a civilian effort. He focussed specifically on the US embassy which is slang for the whole civilian infrastructure in the country, not the political operation per se. There has not been a civilian surge in Iraq. The result is that the public institutions in Iraq are in immense disarray. The security situation is still extremely fragile. It is still dangerous for not just foreigners but also for Iraqi public servants. There is also a

massive for profit kidnapping industry. A second issue is corruption, which is endemic. It starts at the lowest level. That includes the courts. Third issue: the Maliki government enjoys no credibility amongst the Iraqi people themselves. It should have been allowed to die a natural death well over a year ago. It has now broken with Iran. But that could change in a moment. The ultimate political problem is the Iranians interfering in Iraq and as the Bush administration is complaining about it, it is up to Europe to tell the Iranians to back off before the Americans bomb them into the Stone Age. Then you would have a real problem in the Middle East. Finally, there is a very poor capacity on the humanitarian side, in the law sector and other areas. The problem is more complex than the fact that the educated middle class is to a large degree living outside the country at the moment. Due to the Baathist dictatorship there has never been a governing or legal capacity in that country. It is not simply a question of improving the security situation and then what was there will re-emerge spontaneously. The two areas where this is particularly disastrous are the justice sector and the security sector: police and military. The Americans seem to have the army more or less on the track, but the justice sector and the police are a disaster. The EU should think in terms of less can be more. It should concentrate on the rule of law sector and focus on specific projects designed to raise Iraqi capacity. The answer to this is not running training courses, the starting point is: look at the basis, the Iraqi foundation, their laws and regulations.

The effectiveness of the surge as it has been sold to the media has to be questioned. Backroom negotiations have led to the destruction between the link between al-Qaida and the Iraq Islamic Party. In about three months about 300 activists were killed and there is a shift by the Sunni political establishment towards new political movements within the Sunni community which is important for the forthcoming provincial elections. However, what happens after the improvement of security? It has to be made clear to the Maliki government that it has to move in very quickly with providing services to these communities (health, water, sewer etc.). Unless this happens, the security gains will very quickly wither away. Thirdly, Iraqis are more interested in talking to Europe than Europe is in talking to them. This has to be changed. Europe has to intensify the relationship through parliamentary contacts, Commission financing and more political contacts.

Security is improving, but is extremely fragile. The government control over the country is increasing, but the political authority is still a challenge. There have been serious efforts by the government to bring back the Sunnis who left the government last summer. There has been some important legislation last summer: a budget law, an amnesty law. The various ethnic groups got their share. It was important back then, but in the long run it is dangerous to have this horse trading governmental politics. National reconciliation and national dialogue is the key for the stabilisation of the country. Some efforts have been made, mostly at local level. This is not the type of activity you undertake at international level. It happens in small closed groups and a couple of NGO's like Finland-based CMI and No Peace Without Justice have done this kind of work. This is what we need to be doing. Security and political progress cannot be de-linked, but economic recovery and potential prosperity are just as important. In Iraq, these are linked to the international oil prices and the decline in attacks on the oil pipelines.

Involvement EU

Where does that leave the EU? One thing Saddam Hussein could not take away from the Iraqi people is their culture: historically they are an extremely educated people. If we ignore Iraq it becomes a bloody, non-democratic, religiously based society. The choice is between "burqa and blood" and a new standard democracy. There is no fix on the idea of what democracy is. The EU understands that democracy is a process rather than a given state. Europeans with their horrible history know it is a hard slog and we are the best suited to take leadership in Iraq. The most important thing is to move on now. It's no use carrying on with arguments about who has done what. Whoever will be the new US president, he will turn to the Europeans and ask them to increase their share. We'll have to do it anyway as it is destabilising our neighbourhood as well. Obama with all his talk about withdrawal is slowly coming to the conclusion that stability in Iraq will only be attained by keeping US troops there in one guise or the other. Which US administration will be in office in 2009 will not make a big difference. One difference is that the Obama camp is much more open to multi-lateralism, to giving a lead to whoever is willing to do it and back them up. McCain talks about greater multi-lateralism. He will have a lot more red lines regarding truly opening up. But in the end Iraq cannot be governed from Washington or Brussels - the Iraqi government must be accountable.

For the EU it is time to strengthen the relations it has. Before 2003 we did not have any contacts. Since 2005 we have the EUJUST LEX (EU Integrated Rule of Law Mission for Iraq), the police training programme. In December 2005 we opened our first ever delegation in Baghdad and we have an ambassador since July. It is important to establish diplomatic relations. Since 2003 we have provided 829 million EURO. This year we will take out another 90 million. We are negotiating a development and humanitarian programme since November 2006 - we have negotiated a trade and cooperation programme. There will be more, primarily technical assistance to strengthen the Iraqi administration.

As there were very few Iraqi civil servants left, it was difficult to modernise the administration. But Iraq is rich. It needs more technical assistance and know-how rather than infrastructure support. Energy cooperation could cover energy security supplies, development of renewable energies, efficiency measures and industrial cooperation. A number of European and North American companies are already out there.

We will continue with the TCA (Trade and Cooperation Agreement)³ which will cover anything from tourism and education to rule of law and human rights and bilateral trade relations based on WTO principles. It will be concluded by the end of this year though it looks difficult for Iraqis in terms of trade.

The EU has to improve local ownership....throwing millions at the UN does not raise EU profile. The Iraqis do not have a real feel for the EU in Iraq and most of what we finance is outsourced which means we're not getting a profile for it.

³ http://ec.europa.eu/external_relations/iraq/tca_en.htm

The French presidency does not look very helpful in terms of EU engagement in Iraq: whereas Kouchner seems to be all keen, France is at the same time reluctant. France was approached to host the Compact Conference⁴ which in the end was held in Stockholm instead in May 2008.

Challenges ahead

The Iraqi government is the main player. There will be local elections in October and there is still no electoral law. Will there be open or closed lists, quotas for women and for minorities? There has to be a constitutional review. Iraqi people should not be defined along the (religious) lines: Shia, Sunni, Kurds, but ethnically: Arabs, Kurds, Turkmen and Assyrians. The current constitutions divide the Iraqi people into two classes: the first class exists of Arabs and Kurds and the second class contains the remaining minorities who all happen to live in the North of Iraq. The Kurdish authorities have extended their territories. They tend to make us believe that the entire north of Iraq is Kurdish. In the Iraqi constitution it says that in that region no other region may be created. The internal boundary dispute (Akre, Ninewa; Hamdaniya, Ninewa; Makhmour, Ninewa/Erbil; and Mandali, Diyala) needs to be solved or it will become a huge problem.

Generally, the identification along ethnic/religious lines is a fundamental problem and it is killing Iraqi society. The EU should pressure to make the constitution fair for all Iraqis. It should send observers to make sure that the provincial elections in October will be fair and democratic.

The refugees and the internally displaced represent a major problem and a destabilising factor for the whole region. At the same time there is a big brain drain and corruption is a serious problem: Iraq is the third worst ranking country after Somalia and Myanmar. The economy is based on oil: we do not only need accountability and transparency in the energy sector, we also need diversification of the economy. On the security side the negotiations with the US on a status- of-force agreement have run into difficulties, but the Iraqis want to be out of chapter 7 of the UN- charter so, there will probably be in agreement soon.

Furthermore the Awakening Council needs to be integrated into the Iraqi security services or provided with some other fruitful function: angry men with weapons are not healthy for any societies.

The International community and the EU can give good advice when we're asked for it, but it's the Iraqi's country. In the EU we have some good experiences with democracy and human rights. Not long ago some of our member states were countries under authoritarian regimes. The Iraqis need time to build their democracy. We have to be patient, but in the meantime we need to put pressure on the Iraqi government.

⁴ <http://www.iraqcompact.org/>