

DRAFT FOR DISCUSSION PURPOSES

OSD Policy
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Iraqi Interim Authority Action Plan

NOTE: The following is for discussion purposes. Further inputs and suggestions are welcome.

- **Formation of the IIA Leadership Council** [approximately 35 members]
 - The 35-member Leadership Council will be formed through a multi-step process:
 - **Step 1: Formation of core group of the Organizing Committee** (~9 members)
 - The six members of the “Leadership Committee of the Iraqi Opposition” which was elected by the 65-member Free Iraqi Advisory Committee at Salahuddin in February 2003 should have the option to join the initial core of the IIA Organizing Committee:
 - The following four members have accepted their mandate:
 - Masud Barzani (Sunni Kurd), Kurdistan Democratic Party
 - Ahmad Chalabi (Shi‘a Arab), Iraqi National Congress
 - Jalal Talebani (Sunni Kurd), Patriotic Union of Kurdistan
 - Muhammad Baqr al-Hakim (Shi‘a Arab), SCIRI
 - The following two members have yet to accept their mandate:
 - Adnan Pachachi (Sunni Arab), Independent
 - Ayad Allawi (Shi‘a Arab), Iraqi National Accord
 - A senior USG official should telephone Allawi and Pachachi to solicit a final decision about their willingness to serve.
 - Both Pachachi and Allawi represent important constituencies. If they are unwilling to serve, they should be replaced with a secular Sunni Arab representative and a secular Shi‘a Arab respectively.
 - Whether or not Pachachi chooses to serve, the Coalition solicit the participation of Sadoun Dulaimi, a

Sunni Arab from the Dulaim tribe and a member of the 65-person Advisory Council elected in December 2002.

- Whether or not Allawi chooses to serve, the Coalition should solicit participation from Tawfiq Yassiri, a secular Shi'a Arab from the Iraqi National Coalition and a member of the 65-person Advisory Council.
- In order to participate in the Organizing Committee, each member should be required to relocate to a liberated part of Iraq.
- The Coalition might also consider adding other "external" Iraqis to both broaden the Organizing Committee's ethnic and sectarian representation.
- The Organizing Committee should have both a majority Arab and majority Shi'a representation:
 - The majority of Iraqis are Shi'a and, based on historical experience, may otherwise be quick to perceive disenfranchisement.
 - Adding additional Shi'a [would be desirable].
 - The following secular and religious Shi'a might be added to achieve these objectives:
 - [two names]

Step 2: Formation of the Organizing Committee (13 members)

- The Coalition should sponsor a conference in southern Iraq.
 - The location of the conference should be as far north as possible, perhaps in Nasiriyya.
 - The Coalition might nominate newly-liberated Iraqis and discuss with them the IIA, their vision for Iraq's future, and other issues.

- The Coalition might use such discussions to identify potential ‘internal’ leaders who agree with the key principles outlined by President Bush in the Atlantic Summit in the Azores, at the American Enterprise Institute, and elsewhere.
- In coordination with the Coalition, and perhaps with advice from the UN Special Coordinator for Iraq, the core group will select from newly-liberated provinces five to seven additional internal Iraqis to join their ranks.
 - Throughout this draft, the phrase “coordination with the Coalition” means that the Coalition can nominate people and can disapprove people.
- This will ensure majority representation for “internal” Iraqis.
- The new additions to the Organizing Committee must enhance the Committee’s ethnic and geographic diversity, as well as diversity of sectarian practice (e.g. not all Shi‘as are Islamists).
- The new additions must agree to uphold key principles based on those outlined by President Bush at the Atlantic Summit in the Azores.
- There may not be multiple members of a single political party or slate (e.g. no proxy groups).
- The Organizing Committee must coordinate with the Coalition on the selection of members.
- The new ‘internal’ members should assume their roles simultaneously to avoid skewing the ethnic or sectarian composition of the Organizing Committee.

Step 3: Establishment of Leadership Council of IIA (35 members)

- The Organizing Committee will select one Iraqi from each province (18 in total), in coordination with the Coalition.

- The election of these members will require the agreement of a two-third majority of the Organizing Committee.
- Provincial representatives might be either 'internal' or 'external.'
- Ideally, the 18 new members will be chosen at one time, to prevent at any time a skewed ethnic or sectarian composition of the Organizing Committee. But the Coalition will want to retain the flexibility to have the IIA come into being before the complete liberation of Iraq.
- The Organizing Committee should choose the 18 as soon as possible after the liberation of Iraq.
- In addition, one member of each of the following minority groups will be added to the Leadership Council through a caucus for each specific group to be held as soon as possible:
 - Assyrians
 - Chaldeans
 - Yezidis
 - Turkomans
- A reserved slot for minorities who might otherwise fail to win representation will reinforce the idea that all Iraqis have a stake in Iraq's future.
- The IIA Leadership Committee should elect a secretary whose function it will be to record and publish minutes when appropriate.
 - The Committee might also choose either one or three deputies.
 - Choosing only two deputies might encourage a "Lebanon model," whereby senior positions are allocated on the basis of ethnic or sectarian identity.

- **Mandate of the IIA Leadership Council:**

- The 39-member Leadership Council will be charged with:
 - *Establishing a Constitutional Commission;*

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- Establishing a Legal Reform Commission in coordination with the Coalition;
 - Issuing an interim Bill of Rights;
 - Conducting a census;
 - Organizing municipal, provincial, and national elections; and
 - Taking responsibility for those government offices and ministries that the Coalition will turn over to Iraqi control on a case-by-case basis.
- **Constitutional Commission** [approximately 150 members]:
 - The Commission will comprise:
 - The members of the 65-person Advisory Council, but those who serve on the Leadership Council will not be members of the Constitutional Commission. This establishes a precedent of separation of powers.
 - Advisory Council members should sit according to their ancestral provincial affiliation rather than political party.
 - The Leadership Council will select 90 internal Iraqis delegates to add to Constitutional Commission.
 - The size of each province's delegation will be in proportion to its population.
 - Geographic divisions accommodate tribal, sectarian, and ethnic diversity without aggravating Iraq's ethnic and religious fault-lines.
 - [A named individual – but not the head of any opposition group] will chair the Constitutional Commission.
 - **Legal Reform Commission** [9 members]:

- The Legal Reform Commission will recommend reform of Iraq's legal code, judicial courts, and oversee trials of prominent members of the Ba'ath regime.
- The IIA Leadership Council, in coordination with the Coalition and perhaps with advice from the UN Special Coordinator for Iraq will select nine members based on their legal expertise and personal integrity.

• **Census:**

- The IIA Leadership Council will be charged with organizing a census.
- The census should be non-ethnic and non-sectarian in order to:
 - Prevent "proportional representation" arguments.
 - Reinforces the notion of individual liberty.
 - Avoid disputed results by those ethnic and sectarian groups that have overstated their numbers.
- The census should be transparent and open to international observation.

• **Elections:**

- The IIA Leadership Council will be charged with organizing elections.
- Rolling municipal elections will introduce Iraqis to voting, will allocate city council and mayoral seats, and expedite an "Iraqi face."
 - Municipal elections should begin within 90 days of Iraq's liberation in the Kurdish-controlled provinces of Duhok, Erbil, and Sulaymaniyah.
 - Elections might next be held in the sparsely-populated, Sunni-dominated Anbar province (along Jordan's border).
- Municipal elections might be followed by:

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- Provincial elections to elect governors; and depending on the direction of the Constitutional Commission,
 - Delegate elections to one or two houses of representation.
- **Ratification and assumption of power by an elected government:**
 - There are various mechanisms to ratify the constitution:
 - The Constitution Commission itself might ratify the constitution.
 - One or more elected houses of representation (e.g., a Parliament, or a Senate and a “Majlis”), might ratify the new constitution.
 - A direct plebiscite.
 - Upon ratification of the Constitution, an elected government might take power.