DEJA VU ALL OVER AGAIN?
IRAQ'S ESCALATING POLITICAL CRISIS

Middle East Report N°126 – 30 July 2012

International Crisis Group
WORKING TO PREVENT
CONFLICT WORLDWIDE

TABLE OF CONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS i

I. A STEADY CONSOLIDATION OF POWER 1

A. THE 2010 ELECTIONS AND THE ERBIL POWER-SHARING AGREEMENT 1

B. MALIKI'S AUTOCRATIC DRIFT 2

C. MALIKI'S DEFENCE 4

II. THE OPPOSITION RESPONDS 5

A. A COMPOUNDED POLITICAL CRISIS 6

B. A NO-CONFIDENCE VOTE AGAINST MALIKI? 7

III. REGIONAL INTERFERENCE, INSTABILITY AND A GROWING SECTARIAN THREAT 10

A. OUTSIDE ACTORS 10

1. Iran 15

2. Turkey 12

B. IMPACT OF THE SYRIAN CRISIS 14

IV. RIGHTING THE DRIFTING SHIP OF STATE 16

V. CONCLUSION 18

APPENDICES

A. MAP OF IRAQ 19

B. ABOUT THE INTERNATIONAL CRISIS GROUP 20

C. CRISIS GROUP REPORTS AND BRIEFINGS ON THE MIDDLE EAST AND NORTH AFRICA SINCE 2009 21

D. CRISIS GROUP BOARD OF TRUSTEES 23

International Crisis Group
WORKING TO PREVENT CONFLICT WORLDWIDE

Middle East Report N°126 **30 July 2012**

DEJA VU ALL OVER AGAIN? IRAQ'S ESCALATING POLITICAL CRISIS

EXECUTIVE SUMMARY AND RECOMMENDATIONS

At first glance, the current Iraqi political crisis looks like just one more predictable bump in the long road from dictatorship to democracy. Every two years or so, the political class experiences a prolonged stalemate; just as regularly, it is overcome. So, one might think, it will be this time around. But look closer and the picture changes. The tug of war over Prime Minister Nouri al-Maliki's second term suggests something far worse: that a badly conceived, deeply flawed political process has turned into a chronic crisis that could bring down the existing political structure. To avoid this outcome, both Maliki and his opponents need to make painful compromises: the prime minister should implement the power-sharing deal negotiated in 2010 and pledge to step down at the end of his term; in turn, his rivals should call off efforts to unseat him and instead use their parliamentary strength to build strong state institutions, such as an independent electoral commission, and ensure free and fair elections in two years' time.

The present stalemate has its immediate roots in the Erbil accord between key political actors, which led to the second Maliki government. Key elements of the power-sharing agreement, which political leaders reached in a rush in November 2010 as impatience with the absence of a government grew, were never carried out. Instead, the prime minister's critics accuse him of violating the constitution, steadily amassing power at the expense of other government branches – parliament, the judiciary as well as independent commissions and agencies – and bringing security forces under his direct personal control. They also criticise him for reneging on crucial aspects of the understanding, notably by failing to fairly apportion sensitive security positions.

When, in December 2011, the judiciary issued an arrest warrant against Vice President Tareq al-Hashimi – a vocal Maliki critic – whatever good-will remained collapsed. Several of the prime minister's partners boycotted the government, arguing that he increasingly was veering toward indefinite, autocratic rule. While they returned to the council of ministers after a few weeks, Maliki's opponents – which include a broad array of Sunnis, Kurds, but also Shiites – have since vowed to unseat him through a parliamentary no-confidence vote.

The prime minister's detractors have a case. A master at navigating the grey areas of law and constitution, he has steadily concentrated authority since 2006. But they also have a fair share of responsibility, having signally failed to marshal their parliamentary strength to pass legislation that would keep Maliki's growing power in check. Arguably, had they devoted their energies to the hard work of confronting him through institutions, they would not have found themselves compelled to seek a no-confidence vote as a last resort to block his apparent path toward autocratic rule. If, as is undeniable, Maliki has added to his powers during his six-year tenure, there can be no question that a large part of his success derives from his rivals' incapacity to thwart him via institutional means.

It is unclear how this imbroglio will end, although at this rate and without a tangible change in all sides' behaviour, it almost certainly will end badly. Regardless of whether he survives in office, Maliki has lost the trust of vast segments of the political class, including among former Shiite allies. At the same time, opposition members are deeply divided, both on fundamental substantive issues and on whether to push Maliki to implement the Erbil agreement or remove him once and for all. The odds that they can muster the required votes to unseat him are low; even should they succeed, they are highly unlikely to agree on a common platform to form an alternative government. This would leave Maliki as caretaker prime minister until the next elections in 2014. In the meantime, his government will increasingly find it difficult to govern. All Iraqis will pay a price.

Iraq's predicament is a symptom of a problem that goes far deeper than the unimplemented Erbil understanding or even Maliki's personality. It directly relates to the inability to overcome the legacy of Saddam Hussein's regime and its repressive practices: a culture of deep suspicion coupled with a winner-take-all and loser-lose-all form of politics. Because it never produced a fair, agreed-upon distribution of power, territory and resources, the political

bargaining that followed the regime's fall did little to remedy this situation. The constitutional order the U.S. occupying power midwifed was an awkward patchwork that did not address core issues – the nature of the federal system; the powers of the president, prime minister and parliament; even the identity of the state and its people. Worse, by solidifying an ethno-sectarian conception of politics, it helped fuel a conflict that at times has been more violent, at others more subdued, but has never wholly vanished.

The recurrent political crises that have plagued Iraq are the logical manifestations of this original flaw. Not once did the outcome of these recent cases tackle, let alone fix, the source of the impasse; rather, they were more like band aids, superficial agreements leaving issues either wholly unresolved or resolved but without an enforceable implementation mechanism. What is more, with each episode the wound grows deeper: the gap between political parties widens, bolstering centrifugal forces first manifested in the 2005 process of drafting the constitution as well as in the substance of the text.

This time, political leaders must do more than merely patch things up and live to fight another day, without touching root causes. A quick fix today could mean a comprehensive breakdown tomorrow: the 2014 parliamentary elections loom, and for all parties stakes are higher than ever. Without an agreement on constitutional and legal rules of the game, the prime minister desperately will seek to cling to power and risks of electoral malfeasance will increase commensurately; this will render any outcome suspect and therefore contested. Ultimately, the post-2005 constitutional order might unravel, potentially amid violence.

Making an understanding even more urgent is the uneasy state of the region. From the outset, the political system's frailty has drawn in neighbouring states but rarely in so perilous a fashion as now. Following the U.S. troop withdrawal and the growing sectarian rift that has opened in the Middle East in the wake of the Arab uprisings, Iraq could fast become a privileged arena for a regional slugfest. While all attention today is focused on Syria, regional actors, the Maliki government included, appear to see Iraq as the next sectarian battleground, particularly should Bashar Assad's regime fall. Founded in reality or not, the perception in Baghdad is that the emergence of a Sunni-dominated Syria would embolden Sunni militant groups at home; the prime minister also feels that a broad Sunni alliance led by Saudi Arabia, Qatar and Turkey has painted a target on his chest as part of their cold war with Iran and, more broadly, with Shiite Islam. Maliki has thus essentially thrown in his lot with the regime next door, notwithstanding their tense relations in years past; some neighbours likewise are convinced he has grown ever closer to Tehran.

It will not be easy to right the course of Iraq's drifting ship of state, but Maliki, his opponents and neighbouring countries share an interest in reducing tensions and returning to power sharing, as the alternative could be renewed civil war with greater foreign interference. Because amending the constitution has proved near-impossible, peaceful change will have to occur through constitution-based political consensus – finally beginning to address what for too long has been ignored.

In a companion report to be released later this month, Crisis Group will highlight a specific aspect of the current crisis: the inability of one of the opposition alliances, al-Iraqiya, to present an effective barrier to Maliki's incremental power grab. Iraqiya's flailing efforts, along with those of other parties, to unseat Maliki through a parliamentary no-confidence vote underscore its waning power; show that what remains of the country's secular middle class lacks an influential standard bearer at a time of ongoing sectarian tensions that Syria's civil war risks escalating; and underline the marginalisation of Sunni Arabs and Sunni Turkomans, further increasing the potential for violence.

RECOMMENDATIONS

To All Parties in the Political Conflict:

1. Reassert publicly their commitment to power sharing.
2. Convene a national conference to discuss the principal issues dividing them and work with a specific and publicly-released written roadmap toward a practicable power-sharing arrangement, signed by all principal players, until the next parliamentary elections.

To Prime Minister Nouri al-Maliki:

3. Commit publicly not to seek a third term as prime minister after the next elections for the sake of national unity.
4. Commit publicly to fully implementing the 2010 Erbil agreement.
5. Commit publicly to holding provincial and parliamentary elections on schedule.
6. Stop interference in the selection of commissioners for the Independent High Electoral Commission.

To the Prime Minister's Opponents:

7. End the effort to unseat the prime minister by a parliamentary no-confidence vote.
8. Build on the one issue on which they agree – the need to limit the prime minister's powers – by using their parliamentary strength to protect the independence of

the Independent High Electoral Commission and pass the following key legislation, to be initiated by the president if necessary:

a) laws allowing for free and fair provincial elections in 2013 and parliamentary elections in 2014;

b) a law on the composition, selection and work of the Federal Supreme Court;

c) a political parties law; and

d) federal hydrocarbons and revenue-sharing laws.

To the United Nations Assistance Mission for Iraq:

9. With the international community's support, push forward with efforts to establish a new, strong and independent board of commissioners for the Independent High Electoral Commission; provide technical expertise in organising the 2013 provincial and 2014 parliamentary elections; and mobilise the international community to closely monitor these elections.

To the Governments of Iraq and Turkey:

10. Improve bilateral relations by:

a) ending damaging sectarian rhetoric directed at one another;

b) reestablishing contacts at the leadership level;

c) appointing high-level envoys to their counterpart's capital who would be dedicated to restoring relations;

d) reviving the 2008 High-Level Strategic Cooperation Council; and

e) stepping up implementation of the 48 agreements on energy, security and economic cooperation signed in 2009.

To the U.S. Government:

11. Use its leverage to:

a) press the parties to return to power sharing;

b) urge the opposition to use its parliamentary strength to push through key legislation concerning the judiciary, oil and future elections;

c) urge Maliki to cooperate with parliament to ensure these critical pieces of legislation are passed;

d) speak out publicly when the Maliki administration or any other actor violates democratic rules or when presented with evidence of human rights abuses; and

e) encourage the Iraqi government to organise provincial and parliamentary elections on schedule, and help ensure that these elections be free and fair.

To the Governments of Saudi Arabia and Other Gulf States:

12. Accept the legitimacy of and actively engage with the Maliki government, broadening diplomatic and trade relations.

To the Governments of Iran and Turkey:

13. Urge Prime Minister Maliki and his opponents to return to and fully implement the power-sharing arrangement contained in the 2010 Erbil agreement.

Baghdad/Erbil/Brussels, 30 July 2012

International Crisis Group
WORKING TO PREVENT CONFLICT WORLDWIDE

Middle East Report N°126 **30 July 2012**

DEJA VU ALL OVER AGAIN? IRAQ'S ESCALATING POLITICAL CRISIS

I. A STEADY CONSOLIDATION OF POWER

Maliki's rise and domination are a function of the balance of forces that existed in 2006, when his Shiite Islamist partners chose him to head Iraq's first government elected on the basis of the new constitution. Chosen from inside the Daawa Islamic Party to replace the previous prime minister, Daawa leader Ibrahim al-Jaafari,[1] he barely made his mark for the first half of his term as chaos and sectarian fighting reigned in the streets of Baghdad and other mixed Sunni-Shiite areas.

This changed when Maliki, defying advice and expectations, launched offensives against lawless elements – militiamen linked to the Sadrist movement – in Basra and Baghdad's Sadr City neighbourhood in 2008. He proceeded to target Sunni insurgents and Kurdish peshmerga forces in disputed areas near Khanaqin. This allowed him to present himself as a statesman capable of rising above ethnic and sectarian divisions (attacking Sunnis, Shiites and Kurds alike), and thus earned him acclaim from a population wearied by militia rule. An accidental candidate in 2006, Maliki found himself in the driver's seat in provincial elections three years later, which he swept in all Shiite-majority governorates except, ironically, the one his party had led for the preceding four years.[2] His next target was the March 2010 parliamentary elections.

A. THE 2010 ELECTIONS AND THE ERBIL POWER-SHARING AGREEMENT

Maliki entered the elections at the head of his own list, State of Law (Dawlat al-Qanoun), shedding his erstwhile Shiite partners, who gathered in the Iraqi National Alliance (al-Ittilaf al-Watani al-Iraqi, INA)[3]. This was a gamble, as the Shiites' demographic majority had carried them to the top as long as the political parties representing them joined hands. Maliki now risked forfeiting the Shiites' self-presumed entitlement to the prime minister position by dividing their vote. State of Law and the INA faced a revived, largely secular alliance known as Al-Iraqiya, headed by Iyad Allawi, the U.S.-appointed prime minister of the 2004-2005 interim government.[4] Allawi's list won the elections with 91 seats, with Maliki coming in a close second with 89; the INA came third with 70 seats.

After nine months of arduous negotiations, the re-merger of State of Law and the INA into the National Alliance (once again producing the largest bloc in parliament), a determined Iranian push and a growing U.S. conviction that there was no viable alternative produced a new Maliki government in December 2010.[5] As before, however, this was a coalition government based on the principle of pow-

[1] As did the January 2005 elections, the December 2005 elections produced a victory for the bloc of Shiite parties known as the United Iraqi Alliance, the two strongest components of which were the Sadrist movement and the Islamic Supreme Council of Iraq (ISCI, then still known as the Supreme Council for the Islamic Revolution in Iraq). As neither was able to persuade the other to accept one of its own as prime minister, they decided to give the post to the leader of a third, much weaker group, the Islamic Daawa Party. In early 2006, this was Ibrahim al-Jaafari, the prime minister of the outgoing transitional government. Jaafari would have reprised his role as government leader but for a determined effort by the Kurdish alliance, backed by the U.S., to see him replaced. The Kurds were angered by his adversarial stance on the question of disputed territories, while Washington saw him as too close to Iran. From the Kurds' perspective, they did not fare any better with Maliki, but the U.S. has appeared relatively content with the choice, despite occasional hiccups in the relationship.

[2] On politics surrounding the provincial elections, see Crisis Group Middle East Report N°82, *Iraq's Provincial Elections: The Stakes*, 27 January 2009. On an analysis of their results, see Crisis Group Middle East Report N°94, *Iraq's Uncertain Future: Elections and Beyond*, 25 February 2010, pp. 2-11.

[3] This loose 2009-2010 electoral alliance comprised Shiite Islamist parties such as the Sadr Trend and the Islamic Supreme Council of Iraq, as well as smaller parties and individuals, including Ibrahim al-Jaafari. Following the March 2010 elections, it joined forces with Nouri al-Maliki's State of Law list to become the National Alliance, led by Jaafari.

[4] See Crisis Group Middle East Report N°127, *Iraq's Secular Opposition: The Rise and Decline of Al-Iraqiya*, forthcoming.

[5] Though the cabinet was largely formed, key positions remained unfilled, including the defence and interior ministers. See footnote 14 below.

er sharing, practical details of which the governing partners nailed down in a document that became known as the Erbil agreement.[6]

The Erbil agreement represented an effort by Maliki's opponents to fill a glaring gap left by ambiguities in the constitution pertaining to the prime minister's powers and other key aspects of building a democratic state.[7] Today their primary complaint is that he has either failed to implement or violated this agreement, specifically the provision that the prime minister's power be circumscribed by allotting senior government positions to his rivals, drafting procedural rules for the council of ministers, and creating a new institution, the provisionally-named National Council for Strategic Policy, to be headed by Allawi.[8] By reneging on his pledge, they contend, he is showing himself to be an autocrat intent on consolidating power at their expense and in violation of the democratic process and even the constitution.

B. Maliki's Autocratic Drift

Proving himself a master at navigating the grey areas of law and constitution, Maliki has steadily amassed power since 2006. Whenever he was accused of crossing the line, he used institutional means to justify his actions, for example by soliciting decisions supporting his interpretation of the law from a Federal Supreme Court that routinely appeared to rule in his favour.[9] Thus he began moving against independent commissions and the Central Bank almost immediately after starting his second term; when challenged, he gained the court's support in a highly controversial ruling that attached these independent agencies to the council of ministers despite a constitutional provision attaching them to parliament.[10] The battle over the institutions continues, and is currently focused on the High Independent Electoral Commission, the Integrity Commission and the Central Bank, although all independent governmental bodies appear to be at risk.

Maliki's critics also accuse him of two steps that they say directly contravene the constitution: repeatedly appointing senior army and police commanders in an acting capacity without seeking parliamentary approval[11] and refusing to organise a referendum in governorates whose provincial councils requested one in efforts to become federal regions in 2011. Regarding the former, the number of senior officers thus appointed reportedly runs in the hundreds, including all seventeen division commanders, all Operations Command commanders and all intelligence heads at the defence ministry. Promotions for these positions have occurred in a similar way.[12] More generally, Maliki's critics say, the prime minister has broadly interpreted his designation in the constitution as commander-in-chief[13] to include

[6] Although that agreement, or the initial understanding that gave rise to it, never have been officially released by their three authors (Maliki, Allawi and the president of the Kurdish region, Masoud Barzani), a possibly authentic though not necessarily complete version surfaced in early May 2012 in several Iraqi news outlets, including *Al-Mada* on 2 May 2012, www.almadapaper.net/news.php?action=view&id=64861. In what appears to be a striking omission, for example, the published text does not mention the National Council for Strategic Policy, a key institution on which the three leaders said they had agreed in Erbil.

[7] Crisis Group identified these problems in Middle East Report N°75, *Iraq after the Surge II: The Need for a New Political Strategy*, 30 April 2008.

[8] The stated rationale for having such a council was to have a forum in which political leaders, not all of whom would have government positions (for example, Iyad Allawi, Masoud Barzani and Muqtada Sadr), could discuss strategic issues and set policies, especially because the council of ministers was not designed to play that role and has focused on managing day-to-day affairs. The new council would be, in the words of Deputy Prime Minister Rowsch Nouri Shaways, "the kitchen in which to create consensus". Crisis Group interview, Baghdad, 21 May 2012. To Maliki, however, the council looked like a shadow government intended to keep him from being an effective prime minister.

[9] Crisis Group wrote in 2011 regarding the Federal Supreme Court that "the concentration of power in the hands of the chief justice has opened the door to political influence. Under the current constitutional framework, the Court has exclusive jurisdiction to interpret the constitution; its decisions are not subject to appeal. Over the past two years, a series of claims have been brought, usually by the government, in an apparent attempt to impose its particular interpretation of the constitution. The Court's decisions in these cases have almost invariably favoured the government's interpretation. This raises serious doubts about its ability to act as an effective check on the government's power". Crisis Group Middle East Report N°113, *Failing Oversight: Iraq's Unchecked Government*, 26 September 2011, p. 24.

[10] Ibid, pp. 11-17 and especially p. 25, footnotes 175-178; and Decision 88 (2010), dated 18 January 2011, at www.iraqja.iq/view.729/.

[11] A State of Law parliamentarian said in support of Maliki that the prime minister consulted with his council of ministers before taking any decision, including concerning the appointment of senior security officers, and that this provided a sufficient check on his powers, as the council, reflecting the power-sharing arrangement, broadly comprised the spectrum of parties that won seats in the 2010 parliamentary elections. Crisis Group interview, Baghdad, May 2012. While the council does indeed represent the spectrum of these parties, and while it could be true that Maliki consults regularly with his cabinet on selecting security officials, the fact remains that it is parliament's task to approve these appointments as an essential check on possible abuse of executive power.

[12] Crisis Group interview, security expert, Baghdad, June 2012.

[13] Article 78 of the constitution states that "the prime minister is the executive officer directly responsible for the state's general policy and the commander-in-chief of the armed forces". The constitution does not mention the need for enabling legislation,

giving direct orders by cell phone to field commanders, bypassing even the defence ministry he already controls.

Apart from allegedly violating the constitution, Maliki stands accused of refusing to implement the power-sharing deal he solemnly agreed to with Allawi and the president of the Kurdish region, Masoud Barzani, in November 2010. One important provision was to distribute top security posts among the main parties. Failure to reach agreement over who should fill these posts enabled Maliki to occupy these positions himself in an acting capacity or, after a while, by appointing close allies.[14] The second pillar of power sharing envisioned in 2010, the National Council for Strategic Policy, never saw the light of day, stymied in parliament due to active opposition from Maliki, who viewed it as a direct challenge to his power. Furthermore, the prime minister has not taken any step to institute by-laws for the council of ministers that would set rules of procedure and clarify his authorities vis-à-vis those of his cabinet members.

At the heart of the crisis lies the legacy of Saddam Hussein's authoritarian and arbitrary rule as well as the profound fear, mutual distrust and paranoia with which Iraqi politicians became imbued as they tried to survive either in hiding or in exile under his regime – all of which they have been unable to shake off. As one consequence, they zero-sum struggles. Thus, Shiite Islamist parties fear that Sunnis are seeking to end Shiite-majority rule whereas some Sunnis are convinced Shiite Islamist parties are determined to marginalise them. At a more personal level, some believe the embattled prime minister is hanging on to power because he worries that the end of his tenure could amount to his own end – that the moment he leaves office he would become a target for reprisal by his enemies, be it by prosecution or assassination.[15]

Because political battles are seen as part of an existential, winner-take-all struggle, they have tended to centre on control over the security apparatus. While there is a clear sectarian element at play,[16] intra-Shiite competition has assumed a preponderant role: the movement led by Muqtada Sadr has challenged Maliki's control, trying in particular to infiltrate the interior ministry and police. A Sadrist parliamentarian said: "Maliki wants to control the military, security and intelligence apparatus. He wants to have senior officers in place who bow to him to advance his interests".[17] A senior government official described a veritable battle over the interior ministry, with the Sadrists seeking to persuade Maliki by various means (including the threat of a parliamentary no-confidence vote) to appoint one of their own as deputy minister.[18]

More broadly, just as Sadr fears Maliki's growing military strength, so does the Kurdish regional government (KRG)[19]

---

as it does it many other cases, leaving the prime minister's powers as commander-in-chief undefined. These powers are limited only by Article 9(1)(A), which states in part that the armed forces "shall be subject to the command of the civilian authority, shall defend Iraq, shall not be used as an instrument to oppress the Iraqi people, shall not interfere in political affairs, and shall have no role in the rotation of power". Apart from the fact that this provision is limited to the armed forces, it does not relate directly to the prime minister's authority and is otherwise broad and therefore wide open to interpretation. An English translation of the constitution can be found at www.krg.org/articles/detail.asp?lngnr=12&smap=04030000 &rnr=107&anr=12329. Regrettably, English translations of the constitution have tended to be very poor. The translations in this report are Crisis Group's own.

[14] Maliki appointed himself as acting interior and defence minister when State of Law and Iraqiya failed to reach agreement on nominees for these two posts. In November 2010, political leaders had agreed that the National Alliance (of which State of Law is the most powerful component) would propose the interior minister and Iraqiya the defence minister. In May 2011, Maliki appointed an independent Sunni, Saadoun Dulaime, the culture minister, as acting defence minister (while staying on himself as acting interior minister). In justifying the decision, Maliki and other State of Law officials invoked the concept of *muhasasa* – the distribution of positions by ethnic and sectarian communities. Thus, instead of the posts going to those chosen by the National Alliance and Iraqiya, they argued, these should go to, respectively, a Shiite and a Sunni – chosen by the prime minister. Maliki told the press: "The Defense Minister's post is the right of the Sunni component and the Interior Minister's post is the right of the Shiite component". Quoted in AK News, 5 May 2012. State of Law parliamentarian Sami al-Askari commented: "The deal brokered by President Barzani never said that the Defence Ministry is for Iraqiya and the Interior Ministry for the National Alliance. All they agreed is that they understood that the candidate for the defence post would be a Sunni and the candidate for the interior post would be a Shiite". Crisis Group interview, Baghdad, 2 July 2011.

[15] Crisis Group interviews, Baghdad, May and June 2012.

[16] See Crisis Group Middle East Report N°99, *Loose Ends: Iraq's Security Forces between U.S. Drawdown and Withdrawal*, 26 October 2010. There is no independent research on the ethnic or sectarian make-up of the security forces, but anecdotal evidence collected over the past few years suggests that Maliki has placed loyalists, primarily Shiites, in senior command positions.

[17] Crisis Group interview, Baghdad, May 2012.

[18] Crisis Group interview, Baghdad, May 2012. He also noted that the ministry had fired over 200 police officers with criminal records, triggering a public protest from the Sadrists, many of whose members were affected by the action.

[19] In July 2012, independent Kurdish member of Baghdad's parliament Mahmoud Othman told Iraqi media: "Iraq has one million army members and al-Maliki leads them. In Iraq whoever leads the army is the strong one". Quoted in AK News, 2 July 2012. Kurdish leaders have also expressed particular alarm over the Iraqi government's purchase of F-16 fighter aircraft from the U.S., which they fear could be used against the Kurds

and Sunni politicians. In turn, Maliki can cite as justification for building up a national army and police the continued existence of irregular forces, such as the Sadrists' Mahdi Army militia and the KRG's regional guard force (former peshmerga fighters), which aspires to extend control further into disputed territories.[20] Insecurity is also compounded by various insurgent groups, including al-Qaeda, which continue to operate against the central authority, even if with diminished strength since 2007. This is especially true as bombs regularly go off in Baghdad and other areas.[21]

Maliki's allies have openly blamed senior Iraqiya leaders for some of the violence, suggesting that their immunity as government officials and parliamentarians has allowed them to freely ferry weapons and explosives through police checkpoints.[22] As evidence, they cite the case of Tareq al-Hashimi, a vice president who fled to the Kurdish region in December 2011 after being accused of having ordered assassinations of opponents; his bodyguards and other staff members remain in jail in connection with these charges, while he has refused to turn himself over to the judicial authorities and stand trial. The incident occurred after Maliki had increased pressure on Iraqiya politicians by placing tanks in front of their homes in the Green Zone in the weeks prior to the U.S. troop withdrawal (see Section II).

Maliki's rivals' only remaining tools to restrain him are use of their government positions to seek to curb his authority and deployment of their parliamentary strength to limit his powers through new legislation – in other words, better utilisation of the existing power-sharing arrangement. Their failure to date to pass appropriate legislation or keep Maliki in check via other institutional means triggered the latest crisis, culminating in the threat to stage a no-confidence vote. Arguably, had Maliki's opponents devoted their energies to the hard work of confronting him through institutions, they would not have found themselves in their present position of having to seek a no-confidence vote as a last resort to block him on his apparent path toward autocratic rule.

C. Maliki's Defence

Maliki has defended his record of governance, blaming delays in service delivery on the many years of violence.[23] He has also asserted the need to build a strong functioning state and strenuously denied he is seeking to amass power in extra-legal fashion: "The reality is that powers are not concentrated in the hands of the prime minister. They are distributed according to the constitution". Regarding his role as commander-in-chief, he said: "If the political parties want to decrease my powers [of commander-in-chief], they should do so by amending the constitution. It would certainly lessen my burden". He also dismissed charges that he had undermined the independence of special commissions and the Central Bank: "The constitution grants the council of ministers the power to draft policies and supervise governmental bodies not directly linked to ministries. These bodies, such as the Central Bank, are supposed to coordinate with the council of ministers, but unfortunately, they don't".[24]

In particular, he has forcefully rejected the charge that he has erected a Shiite dictatorship: "We now have a Shiite prime minister, but the next one could be a Sunni, depending on the outcome of the next elections.[25] Had this been a Shiite dictatorship, we would not have confronted Shiite militias; there are thousands of these guys in prison".[26] Maliki added that the case against Vice President Hashimi was not politically motivated but purely a matter for the courts while suggesting he might not be interested in extending his tenure beyond the next elections:

> I won't stay in power. Someone else can come and take his chance. I want to hand over this responsibility, hoping that the gains will continue. I have seen the

should conflict erupt between Baghdad and Erbil. They allege that in a meeting with security commanders in 2012 Maliki made an implied threat to use the F-16s against the Kurds. Crisis Group interviews, Baghdad and Erbil, June 2012.

[20] See Crisis Group Middle East Report N°103, *Iraq and the Kurds: Confronting Withdrawal Fears*, 28 March 2011.

[21] Adnan al-Asadi, the deputy interior minister, cited continued threats from Baath party and al-Qaeda operatives, which he said aimed to undermine the political process, as well as from remnants of Shiite insurgent groups (whose raison d'être, he said, had been removed by the U.S. troop withdrawal). Crisis Group interview, Baghdad, 21 May 2012. Car bombs went off in Baghdad and other cities on various occasions in May and June 2012, killing scores of people.

[22] Crisis Group interview, Ali al-Adeeb, higher education minister, Baghdad, 20 June 2012.

[23] Maliki said that due to sectarian conflict and insurgency, the process of rebuilding the country did not start "until two or three years ago". Crisis Group interview, Nouri al-Maliki, Baghdad, 21 May 2012.

[24] Ibid. Maliki did not explain how lack of coordination with the council of ministers would cancel out the constitutional provision that attaches independent bodies to parliament.

[25] At this time, a prime minister who is not a Shiite is difficult to imagine, as even Maliki's non-Shiite rivals readily acknowledge. During talks about alternatives to Maliki in May 2012, they all agreed that the (Shiite) National Alliance should pick the next prime minister. Sunni leaders agreed to participate in the March 2010 elections as part of the Iraqiya alliance under the leadership of Iyad Allawi partly because they thought that, by virtue of being a (secular) Shiite, he would be a viable alternative to Maliki.

[26] Maliki made similar points in a televised interview on Iraqiya TV, 9 May 2012.

> country move from civil war and terrorism at its peak to stability and peace. I have taken tough measures against those who try to undermine this. But after eight years and all these problems, let someone else try his luck.[27]

He added, however, in a statement that evoked the justification other autocratic leaders have used to resist giving up power: "But let the people decide. When I mentioned on television that I might step back, there was an outcry.[28] People were saying I have no right *not* to run again".[29]

Maliki's supporters assert that the opposition's campaign to unseat him might further raise his popularity. Hanan al-Fatlawi, a State of Law parliamentarian, said: "People are looking to Maliki as a patriotic leader, someone who confronts Masoud Barzani – who is building an independent Kurdish state, not a federal region – and keeps Kirkuk within Iraq".[30] She denied Maliki was amassing power, declaring that targeting the Independent High Electoral Commission was justified by documented cases of corruption;[31] that the Federal Supreme Court's weakness derived from its being a holdover from the period of direct U.S. administration in 2003-2004; that the media focused only on rulings that benefited the prime minister, ignoring many others that did not; and that in any event the nine justices comprise three Shiites, three Sunni Arabs and three Kurds, who vote on each case and do not necessarily agree about any one of them.[32]

There is no question that Maliki has added to his powers during his six-year tenure, but there can also be no question that a large part of his success in doing so has been his rivals' failure to thwart him by institutional means. For example, while he has made senior military appointments without sending the names to parliament, neither parliament nor the council of ministers has called him on this practice, allowing him to proceed by default. A security expert concluded: "It's true that Maliki has done these things, but the members of the council of ministers and parliament care only about their own positions. No one with a position to lose will tangle with him. They don't have the stomach for a fight [in the institutions]. And so the system is weighted toward the prime minister".[33]

Ammar al-Hakim, leader of the Islamic Supreme Council of Iraq (ISCI), which has not participated in the second Maliki government, criticised ministers belonging to opposition parties for voting with the prime minister regardless. When he asked them why they did so, he said, they claimed that Maliki had given them privileges, making it difficult for them to act differently. "Why do these parties allow them to remain ministers?" he wondered.[34] Deputy Prime Minister Saleh Mutlak of Iraqiya, one of Maliki's critics, claimed that after the government was formed, and over time, cabinet members became exposed to corruption. Maliki did nothing to prevent this, he charged, as the prime minister was thus able to create files against them: "Now they will do what the prime minister tells them to do. Moreover, Maliki surrounds cabinet meetings with his own bodyguards" to intimidate ministers.[35]

---

[27] Crisis Group interview, Nouri al-Maliki, Baghdad, 21 May 2012.

[28] In February 2011, Maliki made a commitment not to seek a third term: "The constitution does not prevent a third, fourth or fifth term, but I have personally decided not to seek another term after this one, a decision I made at the beginning of my first term". He added: "I support the insertion of a paragraph in the constitution that the prime minister gets only two turns, only eight years, and I think that's enough". "Iraq PM pledges not to seek third term", Agence France-Presse, 5 February 2011. Maliki has failed to act on this promise so far.

[29] Crisis Group interview, Nouri al-Maliki, Baghdad, 21 May 2012. He cited a public opinion survey conducted in April 2012 that showed his popularity was increasing, especially in comparison with his rivals. See "A Major Shift in the Political Landscape: Results from the April 2012 National Survey", Greenberg Quinlan and Rosner Research for the National Democratic Institute, May 2012.

[30] Crisis Group interview, Hanan al-Fatlawi, Baghdad, 20 May 2012.

[31] As a State of Law parliamentarian, Fatlawi has actively gone after the electoral commission. She defended the arrest of its director, Faraj al-Haidari, on corruption charges on 12 April 2012, saying she took his case to the Integrity Commission more than a year ago but that the commission had been slow to act; that Haidari was accused of violating the law by rewarding people with gifts, spending more than four months of the year on holiday in Sweden and being a member of the Kurdistan Democratic Party; and that the matter had no political angle and would have to be resolved in court. Crisis Group interview, Hanan al-Fatlawi, Baghdad, 20 May 2012. Haidari was released on bail three days following his arrest and has stayed on in the job. The accusation that he is affiliated with a political party – commission members are supposed to be independent – would be hard to sustain in light of the existing power-sharing arrangement that allows political parties representation in all sectors of government, including nominally independent commissions.

[32] Crisis Group interview, Baghdad, 20 May 2012.

[33] Crisis Group interview, Baghdad, June 2012.

[34] Crisis Group interview, Ammar al-Hakim, Baghdad, 20 June 2012.

[35] Crisis Group interview, Baghdad, 21 June 2012.

II. THE OPPOSITION RESPONDS

After nine long months of wrangling and following a combination of internal and external pressures, political leaders agreed in Erbil in November 2010 to form a new coalition government headed by Maliki. Aware of the prime minister's centralising and authoritarian tendencies, his rivals, now government partners, laid down a number of conditions to solidify the power-sharing arrangement. This became known as the Erbil Agreement, an accord whose contents none of its three authors – Maliki, along with Iraqiya leader Iyad Allawi and the president of the Kurdish region, Masoud Barzani, who also heads the Kurdistan Democratic Party (KDP) – has officially divulged.

Published versions of the agreement, which may or may not be entirely accurate or complete, give the appearance of a hastily and poorly written text. However, its overall intent appears clear: to weaken the prime minister by strengthening all other state institutions. Maliki had to formally accept these conditions lest he lose his post, even though his rivals did not have the votes, nor the international support, to form an alternative governing coalition. However, he clearly rejected them in practice and began actively working against the agreement. From the moment the government was formed in December 2010, he refused to implement it and interfered in the work of independent institutions.

Barely three months after the government was formed, Crisis Group wrote:

> Distrusting Maliki, whom they had accused of authoritarian tendencies during his first term, Maliki's political opponents – Al-Iraqiya, the Iraqi National Alliance and the Kurds – wanted to limit his powers in the new government. They supported a number of measures [contained in the Erbil agreement] designed to do so, including the establishment of a National Council for Strategic Policy; legislation that would remove security and intelligence agencies, as well as certain security forces, from the prime minister's exclusive control; and council of ministers by-laws that would delineate the prime minister's authorities relative to those of his ministers. All these matters are still under negotiation, but the November 2010 rush by Al-Iraqiya politicians to secure senior government positions reduced both their party's and the Kurds' leverage vis-à-vis Maliki on these checks on his power.[36]

Indeed, politicians' eagerness to grab senior roles in government before other important elements of the Erbil agreement had been implemented, coupled with international pressure to establish a government after so many months of vacuum, left the Erbil understanding in tatters within days of signature. Adel Abd-al-Mahdi, who served as vice president in the first Maliki government and briefly occupied the same post in the second, said: "In 2010, the big mistake was to form the government without fixing the things that had been agreed upon. As a result, leverage was lost".[37]

A. A COMPOUNDED POLITICAL CRISIS

From there, things went downhill. In late February 2011, in response to popular protests over poor service delivery – against the backdrop of the outbreak of the Arab uprisings – Maliki promised improvements, including in electricity supply, and pledged to combat corruption, giving his government a hundred days to do so. That deadline passed without any noticeable progress; protests largely dissipated in the face of stiff repression. Meanwhile, the remaining U.S. troops started to leave and, ahead of the final December pullout, Maliki and his rivals began positioning themselves for the post-U.S. period. In response to repressive actions by security forces in Sunni areas, Iraqiya politicians encouraged provincial councils to establish federal regions modelled on the Kurdish region.[38] In September, Sunni leaders residing in the Green Zone suddenly found tanks parked in their streets, their turrets turned threateningly toward their homes.[39] At the end of October, the government launched a new wave of what it termed pre-emptive arrests of suspected Baath party members in Baghdad and Salah al-Din governorate, accusing them of planning to overthrow the government.

[36] Crisis Group Report, *Loose Ends*, op. cit., p. 3.

[37] Crisis Group interview, Adel Abd-al-Mahdi, Islamic Supreme Council of Iraq, Baghdad, 20 May 2012. An alternative view holds that Iraqiya should have agreed to form a coalition government under Maliki, with Allawi as president, while offering the Kurds the speakership of parliament and deputy minister positions in key ministries. Jalal Talabani insisted on remaining president, however, while Allawi wanted to be prime minister. Crisis Group interview, Mustafa al-Hiti, an adviser to Deputy Prime Minister Saleh al-Mutlak until April 2012, Baghdad, 18 May 2012.

[38] This initiative received an important boost when Parliament Speaker Usama al-Nujaifi appeared to support it in June 2011. During a visit to the U.S., he declared that people's extreme frustration with enduring sectarian politics had driven them to embrace the notion of creating regions. AK News, 30 June 2011. For more on this, see Crisis Group Middle East Report N°127, *Iraq's Secular Opposition: The Rise and Decline of Al-Iraqiya*, 31 July 2012.

[39] Crisis Group interviews, international consultant who visited the Green Zone, including Hashimi's home, at the time, Washington DC, 10 January 2012; and an aide to Tareq al-Hashimi, Baghdad, 18 December 2011.

Two months later, when Maliki was in Washington, he called on parliament to withdraw confidence from Deputy Prime Minister Saleh Mutlak of Iraqiya after he referred to Maliki as a dictator.[40] Subsequently, a judge issued an arrest warrant against Vice President Tareq al-Hashimi, also of Iraqiya, on charges of terrorism. Hashimi fled to Erbil and later to Turkey, and Iraqiya suspended participation in both the council of ministers and parliament. Its action, however, was only partially implemented[41] and ineffective,[42] and its leaders ended their boycott within a month. President Talabani's proposal to convene a national conference at which all outstanding issues could be discussed foundered due to Maliki's resistance. Following the successful Arab summit meeting in Baghdad in late March 2012, which enhanced the prime minister's stature at home and in the region, the opposition dropped the idea. Maliki promptly picked it up as the best way out of the crisis and, predictably, the opposition then rejected it as a non-starter.[43]

Meanwhile, a dispute between Baghdad and Erbil over payments for Kurdish oil exports via the national network escalated. On 1 April 2012, the KRG halted all such exports in retaliation for Baghdad's alleged non-payment to the contracting companies.[44] This action followed on the heels of a speech by Masoud Barzani, the Kurdish region president, in which he declared:

> Power-sharing and partnership between Kurds, Sunni and Shiite Arabs and others is [sic] now completely non-existent and has [sic] become meaningless. The Iraqi Constitution is constantly violated and the Erbil agreement, which was the basis upon which the current government was formed, has been completely ignored. As soon as they came to power, they disregarded the Constitution, the previous agreements that we had, and the principle of power-sharing.[45]

Barzani's chief of staff, Fuad Hussein, explained that his boss was fed up with Maliki's broken promises. For that reason, he said, Barzani had opposed a second term for Maliki in 2010 and had held out longer than any other political leader, ultimately conceding only when it enabled him to play a power-broker role. According to him, shortly after the government was formed, Barzani realised that nothing had changed; the Hashimi affair – and Maliki's attack on Barzani for sheltering the fugitive vice president in the Kurdish region – brought things to breaking point.[46]

B. A No-confidence Vote Against Maliki?

Buoyed by Turkish support (see Section III.A.2 below) and certain opinion makers in Washington – albeit not the Obama administration[47] – Barzani mobilised opposition to Maliki, convening a 28 April 2012 meeting in Erbil attended by President Jalal Talabani, Speaker Usama al-Nujaifi, Iraqiya leader Iyad Allawi, as well as Muqtada Sadr, who arrived on KRG Prime Minister Nechirvan Barzani's private jet from Qom, Iran.[48] This was a veritable "who's who" of post-2003 leaders outside Maliki's State of Law alliance. Sadr's attendance was particularly significant: without him and his 40 parliamentarians, the opposition would have no chance of ousting Maliki through a no-confidence vote. Upon arrival, Sadr made clear he would join only if the other leaders could gather 125 votes; added to his 40, they would then have the required majority.

[40] See "Iraq PM moves to oust deputy as US forces leave", Agence France-Presse, 18 December 2011.

[41] Iraqiya members of the Al-Hal bloc soon defied their leadership and returned to parliament, stating that they considered Iraq's unity and allegiance to its institutions to be a priority in the current context. "Final statement of Al-Hal's organisational conference", Al-Hal Bloc, 19 January 2012, www.alhalnews.com/print.php?id=1310314624.

[42] The council of ministers, which does not require a quorum to meet, continued to issue decrees and instructions to ministries. Parliament was forced to postpone its sessions several times for lack of a quorum, but it still was able to hold a number of regular meetings while the boycott was in effect.

[43] In a televised interview on Iraqiya TV on 9 May 2012, Maliki said: "They are running away from the national meeting because they would face the facts if they came. We want this meeting to be open, so that the people can hear and watch, and we will tell them who violated the constitution, created these problems and put the country into a crisis".

[44] For details on the struggle between Baghdad and Erbil over oil, see Crisis Group Middle East Report N°120, *Iraq and the Kurds: The High-Stakes Hydrocarbons Gambit*, 19 April 2012.

[45] Kurdistan Region Presidency, 20 March 2012, www.krp.org.

[46] Crisis Group interview, Erbil, 23 June 2012.

[47] Crisis Group interview, person who attended Barzani's meetings in Washington in early April, May 2012. Reportedly, the Obama administration rejected Barzani's request for a special U.S. relationship with the Kurdish region, insisting that he work things out with the national government in Baghdad. Crisis Group interviews, U.S. officials, Washington DC, April and May 2012. Barzani visited Washington in the first week of April, meeting at length with Vice President Biden and, briefly, with President Obama.

[48] Crisis Group interview, person who was at Erbil airport when opposition leaders waved Sadr goodbye as he departed for Iran on the same jet at the end of the meeting, Baghdad, May 2012. Reportedly, ISCI leader Ammar al-Hakim also attended but kept a low profile. A politician said that ISCI was hanging back, "because they are unhappy that Barzani and Iraqiya are working with Muqtada Sadr, who rejected Ammar al-Hakim's presence in the Erbil meeting". Crisis Group interview, Baghdad, 16 May 2012.

"Muqtada's visit to Erbil was a game changer", said a senior Kurdish official present at the talks.[49]

These leaders produced a document listing nine points of agreement focusing on the need to prevent further monopolisation of power by the prime minister. They included imposition of a two-term limit on his tenure and gave him fifteen days to respond before they would ask the National Alliance, of which Maliki's State of Law forms a part, to replace him, or even seek a parliamentary no-confidence vote.[50]

Rather than respond in writing, Maliki resorted to the media, declaring in a televised interview that he was the target of a foreign-inspired coup attempt and blaming his opponents for violating the constitution and avoiding dialogue at a national conference; he also reiterated that the constitution sets no term limits and that he would be prepared to step down at the end of his current term, unless Iraq's "best interest" would "force" the post on him again in the future.[51]

Opposition leaders met several more times – in Najaf on 19 May and in the Kurdish region on 28 and 30 May as well as 10 June 2012[52] – but accomplished little beyond highlighting their own internal divisions and resulting absence of resolve. Not only did they appear to lack popular support for their manoeuvring against Maliki,[53] they also seemed unlikely to be able to muster the necessary parliamentary majority to oust him, despite their repeated threats. A successful no-confidence motion would require 163 votes in the 325-seat parliament. Theoretically, the combination of Iraqiya's 91, the Kurds' 57 and the Sadrists' 40 seats would lift the opposition well over the top, but the 2010 election results can no longer be used as a measure of these groups' strength. This is especially true of Iraqiya which has suffered defections and among which exists latent support for Maliki, notably from members hailing from disputed territories claimed by the Kurds.[54]

A more realistic assessment would give Iraqiya between ten and twenty votes less than its original electoral strength. The Kurds also suffer from internal splits, with the pro-reform, anti-Barzani Gorran movement remaining undecided whether to throw its eight seats behind an anti-Maliki vote,[55] and President Talabani's Patriotic Union of Kurdistan (PUK) wavering[56] as a result of concern over Barzani's own perceived autocratic tendencies in the Kurdish region.[57] Finally, while some members of the Iraqi National Alliance likely would join a no-confidence vote, boosting its chances of success, the key swing vote would be the Sadrists'. Muqtada Sadr has been particularly strident in his critique,[58] and a Sadrist politician insisted that his

[49] Crisis Group interview, Erbil, June 2012. Fuad Hussein, Masoud Barzani's chief of staff, said Sadr had come to Erbil for reasons not directly relating to the political crisis. When he discovered that Barzani was serious in his intent to oust Maliki, Sadr proposed holding a larger meeting of political leaders the next day. This caused Usama Nujaifi to rush to Erbil from London, and Allawi from Dubai. Crisis Group interview, Erbil, 23 June 2012.

[50] Untitled document signed by Usama al-Nujaifi, Masoud Barzani, Iyad Allawi and Muqtada Sadr, Erbil, 28 April 2012. For a text, see Shat al-Arab News Agency, 10 May 2012, www.shatnews.com/index.php?show=news&action=article&id=1881.

[51] Interview on Iraqiya TV, 9 May 2012.

[52] On 19 May 2012, Muqtada Sadr and Usama al-Nujaifi met in Najaf but Barzani and Allawi failed to attend. For Iraqiya, Jawad Bolani and Husein Shalaan attended in addition to Nujaifi; the Kurds sent Deputy Prime Minister Rowsch Nouri Shaways, Foreign Minister Hoshyar Zeibari and former KRG Prime Minister Barham Salih. On 28 May, the following leaders met in Erbil: Barzani, Allawi, Nujaifi, Deputy Prime Minister Saleh Mutlak, as well as Saleh al-Obeidi for the Sadrists. Two days later, Barzani, Talabani, Allawi, Nujaifi and Mutlak met in Dukan, a lake resort in Suleimaniya governorate. On 10 June, Barzani and other senior Kurdish officials, Allawi, Nujaifi and a Sadrist delegation headed by Obeidi attended the opposition meeting in Erbil.

[53] A senior government technocrat noted that the opposition lacked popular support for going after Maliki, save for a degree of sympathy in Sunni quarters for Vice President Hashimi since the December 2011 arrest warrant. He said that "political infighting does not reflect people's needs", and that "since parliament members are not tackling corruption, they must be directly involved in it", further alienating them from ordinary people. Crisis Group interview, Baghdad, 16 May 2012.

[54] An Iraqiya parliamentarian predicted that "Sunnis in the disputed territories will not vote alongside the Kurds, because they view things through an ethnic prism". Crisis Group interview, Mustafa al-Hiti, Baghdad, 18 May 2012.

[55] Crisis Group interview, Mohamed Kiyani, parliament member for Gorran, Baghdad, 21 June 2012. He said: "If it's about Maliki, this is not Gorran's fight. But if it's about Kurdish nationalist objectives, then it's our fight".

[56] On 9 June 2012, Talabani declared his neutrality as president in any effort to unseat Maliki and added he would not send the list of those who supposedly had agreed to vote against Maliki to Parliament Speaker Usama al-Nujaifi, claiming that the number was insufficient (some of the people included on the list allegedly later declared they had not agreed and withdrew their names). He also said that PUK parliamentarians would be free to vote however they wished. Quoted in *Al-Sumeria News*, 16 June 2012. Talabani's action undermined momentum toward a vote. A Gorran politician said: "Talabani killed it". Crisis Group interview, Shorsh Haji, parliament member for Gorran, Baghdad, 21 June 2012. He suggested the reason Talabani acted this way was that he did not want Barzani to become political kingmaker.

[57] Crisis Group interview, PUK official, May 2012. He said Barzani wanted to establish "unchallenged, dynastic rule". Maliki exploited this sentiment by referring to Barzani's rule in his 9 May television interview, op. cit.: "They come to us saying that we can't have more than two terms …. This is okay, but do you have only two terms there in Kurdistan?"

[58] In June, Muqtada Sadr said: "I have to tell him [Maliki], 'do the right thing and announce your resignation, for the sake of a nation that just needs a few crumbs to live on and for the sake

bloc would vote against Maliki.[59] Still, at the end of the day there are serious questions whether the Sadrists would defy Iran's evident desire to keep Maliki in place for now[60] and break from their past pattern of repeatedly gaining concessions from Maliki by threatening to withdraw support, only to return to his side, however tenuously, at the last moment. (See Section III.A.1 below.)

The opposition may have lost an early opportunity to pursue a vote in parliament as the groups dithered while counting potential votes after their initial Erbil meeting. As time passed, parliament went on leave for a month, and Maliki embarked on an effort to undermine Iraqiya's unity and fragment the vote. He convened a cabinet meeting first in Kirkuk (8 May) and then in Mosul (29 May), declaring these two governorates (Kirkuk and Ninewa) and their capitals firmly under Baghdad's control in the face of a Kurdish push to incorporate Kirkuk as well as several Ninewa districts into the Kurdish region. This brought Iraqiya parliamentarians from these areas publicly to Maliki's side on the argument that the prime minister would be more capable of protecting them from Kurdish designs than their own Iraqiya leaders, whom they viewed as cooperating with Barzani against Maliki and whom they suspected of considering territorial compromises.[61] By highlighting the Kurdish question, moreover, Maliki deflected attention from his own alleged abuse of power.[62]

The opposition's main problem is that its leaders have been able to agree on one thing only: their distrust and dislike of Maliki. On virtually all else, they have differed, notably on what to do next. Masoud Barzani and Iyad Allawi, given their pronouncements, indisputably would like to see Maliki gone, but the same cannot be said for all Iraqiya's leaders, some of whom might simply be seeking to achieve a better bargain with the prime minister.[63] The Kurds themselves are internally divided, with the two main parties' Baghdad representatives, including President Talabani, seeming to favour some sort of accommodation with Maliki.[64] The Sadrists too currently seem uncertain whether they want to pursue a no-confidence vote; they appear more eager to improve their representation in the security forces than to remove Maliki.[65] Their other intent seems to be to warn him that, term limits or not, he should not expect to remain prime minister following the next elections.

Even in the unlikely event that a no-confidence vote were to succeed, it is highly improbable that opposition leaders could rally around a common platform and set up a new government given their inability to do so after the 2010 elections. They have asserted they would settle swiftly on a new government, leaving the choice of prime minister to the National Alliance. They said they supported the principle of "anybody but Maliki",[66] based on the notion that, although another politician from the Shiite list might not be all that different from Maliki, he at least would not have enjoyed six years to amass power. However, the differences between the groups remain as deep as ever, especially concerning Kirkuk and other disputed territories. In a setback to the opposition, National Alliance leader Ibrahim Jaafari, who had been mentioned as a possible replacement for Maliki, declared upon returning from a trip to London in late June that he was not prepared to throw his weight be-

of partners who only need partnership'". Associated Press, 3 June 2012.

[59] Crisis Group interview, Hakim Zamili, parliament member for Ahrar (the Sadrist movement), Baghdad, 18 May 2012. Zamili suggested that Iraqiya, the Kurds and the Sadrists jointly would establish a new alliance that would constitute the largest parliamentary bloc and as such be constitutionally entitled to choose a new prime minister following a successful no-confidence vote against Maliki.

[60] In one indication of Iranian pressure on the Sadrists to desist from a no-confidence vote, Aytollah Kazem al-Haeri, an Iran-based Iraqi-born cleric whom Shiites consider to be Muqtada Sadr's primary *marjeaa* (source of religious reference), called on Sadr on 19 May to avoid dividing Iraq's Shiites over political disputes (Associated Press, 5 June 2012).

[61] Crisis Group interview, Kirkuk provincial council member, Baghdad, June 2012. Humam Hamoudi, chairman of parliament's foreign affairs committee, said that anti-Kurdish sentiment is so strong in the disputed territories that local Arabs "now see Maliki as a hero" following his visits to Kirkuk and Mosul. Crisis Group interview, Baghdad, 17 June 2012.

[62] Crisis Group interview, foreign ministry official, Baghdad, June 2012.

[63] Crisis Group interview, PUK official, May 2012.

[64] Crisis Group interviews, PUK and KDP officials, Baghdad, May and June 2012. It is unclear why KDP representatives appear more accommodating to Maliki, in defiance of Barzani's positions – there are several examples of this in the past year – except that, along with their PUK colleagues, they generally exhibit a more "Iraqi", as opposed to a pronounced "Kurdish nationalist", line: they support a unified Iraq with a strong Kurdish autonomous region, whereas Barzani, as president of the Kurdish region, often makes himself sound like he wants to become the leader of an independent state.

[65] A State of Law parliamentarian said the Sadrists were seeking control over one "independent" commission, command of one army division and several director general positions in ministries. Crisis Group interview, Hanan Fatlawi, Baghdad, 20 May 2012. A security official added that the Sadrists were claiming the deputy interior minister position, as well as fuller representation in that ministry's and police ranks. Crisis Group interview, Baghdad, May 2012. A Sadrist politician suggested that what his movement expected from Maliki was "evidence of good intentions concerning reform", especially in providing public sector jobs fairly and in a non-discriminatory manner (ie, not favouring his own Daawa party), removing his allies from independent commissions and approving the appointment of senior security officers only following consultation with his government partners. Crisis Group interview, Baghdad, May 2012.

[66] Crisis Group interview, senior Kurdish official, Erbil, June 2012.

hind the opposition's efforts.[67] Deputy Prime Minister Hussain al-Shahristani of State of Law summed up the opposition's predicament:

> The opposition wants to replace the government, but they have done all that they can. They don't have enough votes in parliament. Moreover, and more importantly, they realise that the majority of Iraqis is not with them. In a democracy it is not unhealthy to meet and discuss and consider a no-confidence vote, but they lack an alternative agenda. They have nothing in common except their dislike of the prime minister.[68]

Likewise, ISCI leader Ammar al-Hakim argued against pursuing a no-confidence vote, saying that he did not believe it had sufficient support; that in the event of a vote, the Federal Supreme Court might intervene at Maliki's behest to stop the process; and that even if the vote succeeded, it remained unclear that the opposition could form a new government under a different prime minister. The upshot, he said, would be that the opposition would fragment, Maliki would get stronger, and the impulse toward civil war and the country's break-up (with the Kurds seceding) would increase.[69] Fuad Hussein, Barzani's chief of staff, predicted that Maliki would not accept the results of a no-confidence vote, and that this could spell "the end of Iraq".[70]

[67] Crisis Group interview, Baghdad, 21 June 2012. There is some irony in the naming of Jaafari as a potential, and acceptable, successor to Maliki. It was Kurdish pressure, backed by the U.S., that prevented Jaafari from serving another term as prime minister in 2006.
[68] Crisis Group interview, Baghdad, 20 May 2012.
[69] Crisis Group interview, Baghdad, 20 June 2012.
[70] Crisis Group interview, Erbil, 23 June 2012.

III. REGIONAL INTERFERENCE, INSTABILITY AND A GROWING SECTARIAN THREAT

A. Outside Actors

Weak, dysfunctional and divided, the Iraqi state has been vulnerable to external interference, first and foremost by the occupying power until the end of 2011, but also by two powerful neighbours, Iran and Turkey. Tehran and Ankara have been in an unspoken competition to limit each other's influence[71] and their interference has translated into persistent pressure on Baghdad. By playing one state against the other, Iraqi leaders have been able to preserve relative autonomy in decision-making. At the same time, local politicians have tended to exacerbate the situation by appealing to neighbouring states for help whenever a domestic crisis erupts.

Overall, although Iraq's neighbours cannot automatically impose their will, they appear to have sufficient influence to prevent actions directly harmful to their interests. Iran and Turkey have played this game in profoundly different ways. The former has used its historical relationship with Shiites and the latter's deep fear of a suspected Sunni quest to return to power to extend its security contacts throughout the state apparatus. By contrast, Turkey has pursued an economic offensive, given the relative superiority of its products and strength of its economy, allowing for extensive investments from the Kurdish region all the way to Basra on the Gulf. In the current crisis, each has had interests to protect and each has played a role, choosing opposite sides.

1. Iran

Iran was a primary beneficiary of the fall of Saddam Hussein's regime and the outcome of subsequent elections that saw Shiite Islamist parties rise to power. As a result, a once hostile neighbour became both friendly and weak, its new leadership more pliable and vulnerable to penetration. Leaders in Baghdad and Tehran have forged close working ties, especially at the security level, while trade and religious tourism have thrived. Yet this relationship – a vast improvement over pre-2003 days – has been uneasy at best. Memories of the 1980s war remain deeply embedded in both countries' political consciousness, leading to policies based on fears, grievances, ambitions and rela-

[71] By contrast, a third neighbour, Saudi Arabia, has largely stayed on the sidelines.

tionships dating back to that devastating conflict.[72] An Iraqi security official summed it up as follows:

> Iraq's Shiites are indebted to Iran for its support during the Saddam years. Even if we have differences with Iran – which we do – we won't jeopardise our relationship. It's not just the geography, but history and psychology. At times, however, Iran has overplayed its proxies in Iraq – the groups it has armed – triggering reactions from the Shiites. In 2008, when Maliki confronted the Sadrists in Basra, the U.S. had to think hard before deciding to support him, but for Iran it was even harder. They mediated between Maliki and the Sadrists, in the end coming down on Maliki's side, even though they had funded the Sadrists to fight the Americans. There are differences neither side has wanted to talk about; these will yet come to the surface, and they will make Shiites here more distinct from Iran. For now, we are too weak to discuss them.
>
> As for our relationship with the U.S., Tehran doesn't like our purchase of heavy weaponry such as F-16s, but they can live with it. What they worry about is the presence of the Mujahedin-e Khalq,[73] as well the threat of the Baath returning by infiltrating institutions and diluting our friendship with Iran.[74]

Another security official elaborated that Iran historically has pursued "a pragmatic approach" toward Iraq: keeping its Baghdad embassy open during the 1980s war; supporting the post-2003 Iraqi governments despite the U.S. military presence and tutelage; and always acting rationally – according to its interests – and therefore predictably. Yet, like his colleague, he accused Tehran of interfering in Iraqi affairs by supporting armed groups, whom he blamed for 10 per cent of the violence of the past decade (compared to actions by primarily Sunni-based insurgent groups, such as al-Qaeda). In the end, he said, Iraq wants to be treated as an equal: "We used to be a leader in the region. We will not be less than Iran or Turkey".[75]

These officials and others emphasised that Maliki's government had stood up to the Iranian leadership when it concerned matters of national interest, citing the prime minister's signing of the 2008 strategic agreements with the U.S. over Tehran's express objections and, more recently, the decision to raise oil output which was aimed at making up for global supply losses due to sanctions on Iran and thus came at the Islamic Republic's expense.[76]

Iran plays a pivotal role in the current political crisis given its part in forging the 2010 intra-Shiite deal. Tehran has no interest in a change of prime minister unless Maliki were to act against its interests in Iraq or the broader region or if his behaviour endangered Shiite rule. Further instability in Iraq as would result from a new governmental crisis and change in leadership would risk compounding Iran's difficulties in the region and weaken its hand at a time when it faces a considerable challenge in Syria and as a result of Western pressure on the nuclear file. As a Western diplomat in Baghdad put it: "Iran may be worried about an erratic Maliki who has only made enemies, but it would be a real gamble to change him".[77] Moreover, although Maliki to date clearly has alienated some of his Shiite allies in the National Alliance, the State of Law coalition, still the largest bloc within the alliance, remains both loyal to him and cohesive. The Sadrists are the unpredictable element in this equation: there are repeated indications that Iran has exerted significant pressure on Muqtada Sadr,[78] which may explain why he has taken no active steps to bring a no-confidence vote against Maliki despite his stated support for it.

Yet another factor comes into play. Even if Iran were to lose patience with Maliki and be open to his ouster, it would not want Sunni Arab and Kurdish leaders to take credit for it or take the lead in forming a new government. Another Western diplomat said: "Iran does not want any trouble in Iraq right now because of the crisis in Syria and

[72] See Joost Hiltermann, "Deep Traumas, Fresh Ambitions: Legacies of the Iran-Iraq war", *Middle East Report*, no. 257 (Winter 2010).
[73] The Mujahedin-e Khalq are a group of Iranian opposition fighters based in Iraq since the 1980s, enjoying state protection. They fought alongside the Saddam Hussein regime in the Iran-Iraq war. After 2003, they were confined to an area in Diyala governorate called Camp Ashraf under U.S. military supervision. In 2011, the UN Assistance Mission in Iraq prepared the ground for their gradual transfer to a camp near Baghdad International Airport for asylum processing and resettlement.
[74] Crisis Group interview, Baghdad, May 2012.
[75] Crisis Group interview, Baghdad, May 2012.
[76] Crisis Group interview, PUK official, May 2012. A Western diplomat countered this notion, stating that Maliki had turned increasingly pro-Iranian. He cited plans to build a gas pipeline from Iran through Iraq to Syria and an oil pipeline form Basra to Syria; Maliki's actions against Tareq al-Hashimi and other Sunni leaders in late 2011; and Maliki's position on Syria – supporting the Assad regime. Crisis Group interview, Baghdad, May 2012. That said, the pipelines deals so far have been merely declaratory, without any actual contracts to build them. On Maliki's position on Syria, see Section III.B.
[77] Crisis Group interview, Baghdad, May 2012.
[78] For example, Muqtada Sadr reportedly was summoned to a meeting with Supreme Leader Ali Khamenei in Tehran in June 2012 following an opposition meeting in Najaf. Saleh Mutlak claims the Iranians told Sadr that if he did not stop his crusade against Maliki, they would cut their assistance to him and force him to leave his base in Iran. In Iraq, Sadr would be vulnerable to prosecution on charges of involvement in the murder of a Shiite cleric, Abd-al-Majid al-Khoei, in Najaf in 2003. Crisis Group interview, Baghdad, 21 June 2012.

the nuclear issue. But in any case, if Tehran wants to change Maliki it will not agree to it being done this way – by the hand of the Kurds and Iraqiya. If these groups succeed in bringing a no-confidence vote, it would show that Iran is not in control".[79] An Iraqiya parliamentarian agreed: "Iran does not want us and the Kurds to be the determining factor as the Kurds were in 2006 when they blocked Jaafari's nomination as prime minister. Iran would want to make the change, if there is to be one, and they would do it via the National Alliance".[80]

A key question is how much trouble in Iraq Tehran would be willing to tolerate before it decides it will have to act to safeguard its interests. It might be a gamble to pursue an alternative to Maliki, but likewise it might be a gamble to keep him if the prime minister essentially alienates his coalition partners, including among the Shiite alliance. Already, by highlighting the unprecedented degree of Shiite disunity, the current crisis has significantly undermined a core Iranian interest in Iraq.

2. Turkey

From 2007 onward, Turkey sought to engage with all principal Iraqi political actors, assuming a position of equidistance among them. This was consistent with its zero-problems-in-the-neighbourhood strategy, of which Foreign Minister Ahmet Davutoğlu was the architect. Two years later, Ankara jettisoned its balanced Iraq approach and directly supported Iyad Allawi's Iraqiya list, which Turkish diplomats saw as a secular alternative to the Shiite Islamists parties that had ruled Iraq since 2005. Davutoğlu reportedly took credit within his inner circle for having cobbled together this complex coalition of secular Shiite, secular Sunni and Islamist Sunni parties and politicians as a bulwark against Iranian influence.[81] The Turkish ambassador in Baghdad, Murat Őzçelik, became a visible proponent of Iraqiya's fortunes ahead of the elections.

When Iraqiya won the elections but proved incapable of forming a government, Turkey suddenly found itself at the losing end, as Maliki, newly enthroned, expressed his bitterness at its one-sidedness.[82] Over the following year, the relationship seriously soured, as Turkish officials saw the power-sharing deal that had kept their Kurdish allies and Iraqiya in the game falling apart.[83] Turkey's explicit abandonment of the Assad regime and Iraq's contrasting position no doubt also played a role.[84] In an interview in December 2011, ahead of his visit to Washington, Maliki directly accused Turkey of interference in Iraqi affairs:

> We welcome them [Turkey] on the economic cooperation front and we are open for them, but we do not welcome interference in political matters. Turkey interferes by backing certain political figures and blocs. We have continuously objected about their previous ambassador's [Őzçelik's] interferences and they have admitted this interference. In political matters, they have an unacceptable interference.[85]

The interview reportedly angered Turkish Prime Minister Recep Tayyip Erdoğan[86] and this heightened the impact of the next crisis in their relations. During Maliki's Washington visit, Vice President Tareq al-Hashimi, an Iraqiya leader with close Turkish connections, was accused of having organised death squads and fled to the Kurdish region. This triggered a vituperative exchange between Erdoğan and Maliki that assumed sectarian overtones.[87] The two leaders then spoke by phone, with Maliki reportedly threatening to block Turkish businesses from operating in Iraq and Erdoğan allegedly slamming down the phone in response.[88] In April 2012, Erdoğan received Hashimi in

[79] Crisis Group interview, Baghdad, May 2012.
[80] Crisis Group interview, Aiden Aqsu, foreign relations adviser, council of representatives, Baghdad, 16 May 2012.
[81] Davutoğlu reportedly claimed he had formed Iraqiya in his own house. Crisis Group interview, person who heard Davutoğlu make this statement, January 2011.
[82] Turkish officials acknowledge that Ankara supported Iraqiya as a broad-based secular alternative to Shiite Islamist rule in Baghdad, but assert that Turkey expressed support for Maliki the moment it became clear he would be prime minister again. Erdoğan visited Iraq shortly afterward, receiving a warm reception. Crisis Group interviews, Ankara, 25 June 2012.
[83] Erdoğan reportedly felt personally insulted by Maliki's failure to carry out a number of promises, including regarding power sharing (the relationship with Iraqiya) and energy (federal hydrocarbons and revenue-sharing laws). Crisis Group interview, Taha Özhan, director of SETA (Turkish research institute), Ankara, 25 June 2012.
[84] Maliki's media adviser claimed that Turkey had changed its position toward Iraq when a sectarian element entered the relationship as a result of the Syrian crisis as well as Ankara's support for the Muslim Brotherhood there and elsewhere in the region. Crisis Group interview, Ali al-Moussawi, Baghdad, 16 May 2012.
[85] Quoted in *The Wall Street Journal*, 12 December 2011.
[86] Crisis Group interview, Turkish official, Ankara, 25 June 2012.
[87] After Erdoğan publicly criticised Maliki in January 2012 for seeking Hashimi's arrest, Maliki accused Turkey of acting like the Ottoman Empire and played on Turkey's Kurdish insecurities: "Turkey is playing a role that might bring disaster and civil war to the region, and Turkey itself will suffer because it has different sects and ethnicities". "Iraq PM denounces Turkish 'interventions'", Agence France-Presse, 13 January 2012. No less harshly, Erdoğan (a Sunni Muslim) responded with a speech indirectly but clearly likening Maliki to Yazid, the single most despised historical figure to Shiite Muslims (Yazid killed Hussein, splitting Islam in the seventh century). "Erdoğan urges common sense in Iraq but says current picture is not promising", *Today's Zaman*, 10 January 2012. In April 2012, Hashimi moved to Istanbul, where he has remained.
[88] Crisis Group interview, Turkish official, Ankara, 25 June 2012.

Ankara, along with Masoud Barzani, and declared that Maliki's "self-centred ways" were creating instability in Iraq, prompting a response from Maliki that he saw Turkey as "a hostile state".[89] From that moment onward, Ankara openly supported the Iraqi opposition's effort to oust Maliki through a no-confidence vote.

This radical shift in Ankara's approach reflected the emerging conviction among Turkish leaders that Maliki was a proxy for Iran who had delivered on all of Tehran's demands, including and especially by supporting the Assad regime. They also saw him as someone with authoritarian inclinations who, through divisive tactics, was precipitating the country's break-up. Added to this was concern that Turkish oil companies had not won major contracts in Iraq outside the Kurdish region and thus that Turkey was being denied influence in the country commensurate to that of nations whose major oil companies – mostly Western countries, Russia and China – had signed deals.[90] Maliki's alleged threat to block Turkish businesses in retaliation for Erdoğan's public criticism of his policies further compounded their concern.

For their part, Maliki and his allies believe Turkey is acting in the Middle East like a Sunni power seeking to recreate the Ottoman Empire[91] and accuse it of dealing with Iraq's components individually rather than with the state as whole. Referring to announcements that Turkey would build an oil pipeline to the Iraqi border to connect with a yet-to-be-constructed Kurdish pipeline,[92] Maliki said the Turkish government was behaving "as if Iraq had no government".[93] Turkey, a Maliki adviser declared, wants Iraq to be strong only if it serves as a buffer against Iran.[94] Short of that scenario, a senior security official said, Erdoğan "wants to work with Iraq's sects and be above them, like an umbrella".[95] Indeed, Ankara has forged close direct links with the Kurdish region, as well as with predominantly Sunni Arab governorates, such as Ninewa, Salah al-Din and Anbar. "Turkey treats us as loose sectors, not as a country", said a State of Law parliamentarian. "And it acts as a lawyer for the Sunnis" – a reference to its support of Hashimi in particular.[96]

Turkish officials deny that Turkey is acting as a Sunni power in the region. They present their favourable reaction to popular Arab uprisings as support for democratic movements against encrusted authoritarian regimes. In Iraq, they argue, they have developed strong relations with Shiite groups other than State of Law, in particular ISCI and the Sadrists. They assert that Turkey is not interfering in Iraq but that, at the same time, Turkey does not want Iran to be involved either. Finally, they reject the allegation that by giving a license to private Turkish companies to build an export pipeline from the Iraqi border to the Mediterranean, or by accepting Kurdish crude to be trucked into Turkey for refining,[97] Ankara is either seeking or condoning Iraq's break-up.[98]

In the current polarised environment, Turkey's approach to Maliki could become a self-fulfilling prophecy, driving him into an Iranian embrace that he has eluded until now. Moreover, it is doomed to fail if Ankara's objective is to expand Turkish influence in Iraq through trade and investments. By explicitly supporting Iraqiya in 2009-2010 and ending up on the losing side, and by backing Iraqiya's and Kurdish leaders' efforts to bring a no-confidence vote and again risking failure, Turkish leaders might well see their interests in Iraq severely damaged as Maliki recovers and exacts revenge.[99]

---

[89] Reuters, 21 April 2012.

[90] To Turkish leaders, this was reminiscent of their exclusion from Iraq by the UK following the break-up of the Ottoman Empire almost a century ago. Crisis Group interviews, Turkish officials, May-June 2012.

[91] A senior security official accused Turkey of "wanting to become the predominant Sunni Muslim power after the European Union closed its doors and return to Ottoman dreams. Erdoğan wants to be an Islamist [Gamal] Abd-al-Naser". Crisis Group interview, Baghdad, May 2012.

[92] Maliki said Turkey and the KRG had no right to build such pipelines and link them without Baghdad's consent, as the constitution (according to his interpretation) grants the federal government control of national oil policy. Crisis Group interview, Nouri al-Maliki, Baghdad, 21 May 2012. For Turkey's role in Baghdad's struggle with Erbil over oil policy, see Crisis Group Report, *Iraq and the Kurds*, op. cit.

[93] Crisis Group interview, Baghdad, 21 May 2012.

[94] Crisis Group interview, Ali al-Moussawi, media adviser to the prime minister, Baghdad, 16 May 2012.

[95] Crisis Group interview, Baghdad, May 2012.

[96] Crisis Group interview, Hanan Fatlawi, Baghdad, 20 May 2012.

[97] In July 2012, the Kurdish regional government began trucking small quantities of crude (640 barrels a day) to Turkey for refining, arguing that Baghdad was refusing to provide it with fuel for its power plants and therefore had no choice but to engage in a barter arrangement with Turkey, sending crude in exchange for diesel and kerosene. See Ben Lando and Staff, "Kurdistan begins independent crude exports", *Iraq Oil Report*, 11 July 2012.

[98] Crisis Group interviews, Turkish officials, Ankara, 25 June 2012. Turkey came under criticism from U.S. officials as well about the pipeline deal. Ankara responded by chiding the Obama administration for failing to stop ExxonMobil from signing a contract with the Kurdish regional government for oil exploration in the north. For background, see Crisis Group Report, *Iraq and the Kurds*, op. cit.

[99] If a no-confidence vote were to fail, Maliki would recover; should it succeed, Maliki would remain the head of a caretaker government until a new government is formed, as he was for nine months after the 2010 elections. Since the prospect of the opposition overcoming their profound divisions to establish a new government is slim to non-existent, Maliki would likely

B. Impact of the Syrian Crisis

The escalating crisis in Syria, with Turkey and Iran taking diametrically opposing stands, has exacerbated the tense and competitive triangular relationship between these two countries and Iraq, as well as between Maliki, who has publicly supported the regime, and his domestic opponents. As such, it has contributed to Iraq's internal polarisation and potentially could push it back toward renewed sectarian conflict.

When the Syrian crisis broke out in 2011, Maliki's government was caught in a difficult spot. It had no particular affection for a regime it had accused of hosting Iraqi Baath Party leaders and allowing them to finance and stage attacks in Iraq, including devastating car bombings of government ministries in August 2009 in which scores were killed and many more injured.[100] Further such attacks followed, and the government tried to rally international support for a condemnation of the Assad regime but found no ready audience.[101] Maliki himself had an ambivalent relationship with the regime, which he despised for its Baathist ideology but to which he owed gratitude for hosting him for seventeen years[102] – essentially letting him play a role akin to that which he accuses exiled Iraqi Baathists of playing today: seeking to overthrow the government in Baghdad. Maliki told Crisis Group:

> We hate the Baath party. Eighty to 90 per cent of the violent elements came to us from Syria. After the bombings [in 2009], we complained about Bashar in the UN Security Council. At the time, Syria was friends with Iran and with Saudi Arabia. Even the Americans didn't give us any support.[103]

Whatever ill will the prime minister felt toward the regime in 2009, he found himself again in its debt a year later when Iranian leaders persuaded their Syrian allies to drop their support for Allawi and cast their lot with Maliki, thus tipping the balance. Maliki worked to restore full diplomatic relations with the Syrian regime and improve trade, and there was talk of building a gas pipeline connecting Iran with Syria via Iraq, as well as two oil export pipelines from southern Iraq to Syria's Mediterranean coast.[104]

Within months, protests had broken out in Syria. Maliki, despite facing domestic challenges, could not ignore them as they escalated. Rejecting accusations they were backing the regime, allowing the transfer of money, goods and weapons and even fighters across Iraqi borders and through Iraqi airspace, the prime minister and his allies subsequently claimed to have adopted a balanced posture, criticising the regime while expressing concern about what might follow in its wake. A senior security official said: "We did not support Iran's position on Syria. Our position of one year ago has now become the international position more or less: no interference, no arming of the opposition, but dialogue and a managed transition".[105] Deputy Prime Minister Hussain al-Shahristani elaborated this point, highlighting the regional tug of war over Syria's fate:

> The government's position from the beginning has been to recognise the Syrian people's right to a democratic system of government with full protection of human rights; the need for a peaceful transition, including elections monitored by the United Nations; and the establishment of a democratic government via a constituent assembly, just as in Iraq. We communicated our position to Bashar al-Assad; our position was understood and accepted. Other countries – friends of Syria – communicated similar positions. Some regime elements realised that change was inevitable, and recognised the need for a peaceful transition. However, there are forces in the Middle East that don't want a peaceful transition and are financing and arming the opposition, encouraging it to use violent means to overthrow the regime without working toward a viable democratic

stay in power until the next elections, which should take place in 2014.

[100] Various Iraqi officials blamed Syria for having facilitated the attacks by hosting and allowing elements of the Iraqi Baath to operate from Damascus. For example, the deputy national security adviser, Safa al-Sheikh, said the 19 August 2009 attack had been carried out by al-Qaeda operatives linked to Iraqi Baath Party exiles in Syria. Crisis Group interview, Baghdad, 26 September 2009. He told Crisis Group some time later that after the bombings the Syrian regime "took steps to reinforce the Baathists in the region in order to weaken Prime Minister Maliki". Crisis Group interview, Baghdad, 26 May 2010. The massive truck bombings against the finance and foreign affairs ministries in Baghdad reportedly left 95 dead and around 600 wounded. Agence France-Presse, 24 September 2010.

[101] Maliki and his aides blamed the bombings in August and October 2009 and January 2010 on Baathist elements who, they said, had received financial support and shelter from the Assad regime. The Maliki government tried but failed to mobilise support for an international condemnation of the Syrian regime.

[102] Personally, Maliki said, he was deeply affected by the regime's brutality: "I acknowledge the Syrian people's right to peace and freedom. I lived there for seventeen years and I know their reality". Crisis Group interview, Baghdad, 21 May 2012. The Syrian regime supported Iraqi exiles during Saddam's reign. Both Maliki, as the Damascus representative of the Islamic Daawa Party, and President Jalal Talabani, as head of the Patriotic Union of Kurdistan, spent many years under the regime's protection.

[103] Crisis Group interview, Baghdad, 21 May 2012.

[104] Agence France-Presse, 20 september 2010. For background on Iraq-Syria relations, see Crisis Group Middle East Report N°93, *Reshuffling the Cards? (II): Syria's New Hand*, 16 December 2009, pp. 15-17.

[105] Crisis Group interview, Baghdad, May 2012.

> alternative. They won't be able to control the outcome, however. Al-Qaeda has already established itself, finding fertile ground.
>
> We pointed out these dangers to the regime, to the region and to the world. Only belatedly did the Arab League and United Nations come around to our position. We support the Annan Plan fully. But we also note that there are countries in the region that don't want Annan to succeed – by sending weapons to the opposition. We condemn any use of violence by either side.[106]

Maliki's principal concern, he and his aides say, is with what would replace the regime and the consequences of a change. In his eyes, as in those of many Shiites, a Sunni triumph in Syria would embolden their counterparts across the border. In Maliki's words, "I'm not defending the regime. Change must take place. But if Bashar is toppled and Salafis come to power, Iraq will face a sectarian war".[107] Such dire predictions are echoed throughout Shiite echelons in Baghdad. Former National Security Adviser Mowaffak al-Rubaie, for example, warned: "If there will be a civil war in Syria, or a fanatic Islamist Salafi successor regime, this would be a disaster for Iraq on the scale of Chernobyl, as it would trigger a sectarian war here".[108]

Although fears of a Salafi takeover in Syria appear overblown – there certainly had been no significant Salafi role in the Syrian uprising in 2011 when Maliki and his aides first expressed them[109] – and therefore likely reflect a projection of Iraqi politicians' own sectarian outlook on the altogether different situation across the border, the emotion appears profound and sincere. However, when publicly and repeatedly articulated, Maliki's sectarian characterisation of events in Syria could give rise to a self-fulfilling prophecy, prompting a sectarian response from a Sunni-dominated Syrian successor regime, even if it comprises no Salafis. A successor regime in Damascus would certainly be prone to take umbrage at Maliki's implicit support for Assad, whatever the Iraqi prime minister's motivations, and possibly be more inclined to take retaliatory than conciliatory steps.

Linkages between events in the two countries already are being emphasised. The Maliki government has claimed that Sunni fighters have moved from western Iraq into Syria to help their co-religionists.[110] According to al-Rubaie, "the price of AK-47s is going up in Ninewa; there are some intelligence reports on training camps in Anbar for fighters going to Syria; and recruitment is occurring openly in Falluja".[111] Should the Assad regime fall and be replaced by a Sunni-dominated government, Maliki and his allies fear a reverse migration of insurgent – chiefly al-Qaeda – fighters to Iraq in order to combat the Shiite-led order.

For Maliki and other Shiites, fear of Sunni insurgent groups is magnified by the perception that Sunni Arab states – which in their eyes have never accepted that Iraq would be governed by Shiites and currently are seeking Assad's overthrow – also would shift their focus from Syria to Iraq. In other words, Iraqi radical Sunni groups would not only take advantage of a vacuum in Syria or the rise of a Sunni order but also benefit from direct support from Sunni Arab states intent on ending Shiite rule. A senior security official said that Saudi Arabia, Qatar but also Turkey are aiming to "ignite a sectarian war that would lead to the division of Iraq".[112] The perception is that a sectarian alliance is building to counter Iranian/Shiite influence in the Middle East (especially in Iraq, Lebanon, Bahrain and Kuwait), and that after a new (Sunni) regime has come to power in Damascus, Iraq will be its next target.

---

[106] Crisis Group interview, Baghdad, 20 May 2012.

[107] Crisis Group interview, Baghdad, 21 May 2012. Maliki and his advisers have made similar statements since at least August 2011. See Michael S. Schmidt and Yasir Ghazi, "Iraqi leader backs Syria, with a nudge from Iran", *The New York Times*, 12 August 2011; and "Iraq's Maliki warns over Syrian sectarian turmoil", Reuters, 30 September 2011.

[108] Crisis Group interview, Baghdad, 20 May 2012.

[109] Maliki appears to be placing special emphasis on the Syrian uprising's small Salafi component, which is supported by groups linked to al-Qaeda that are virulently anti-Shiite. For example, a spokesman for al-Qaeda in Iraq declared: "… we warn the Sunnis on earth in general, particularly in Iraq and the Levant, that the rejectionists [Shia] are preparing to wage a comprehensive war against them, and that the war has become imminent …. The war is in fact being waged, as you find the Nusayris [Alawites] in the Levant torturing the Sunnis. Hizb Allah was not satisfied with their war in Lebanon, so they sent their snipers and criminals to Syria to shed the blood of its defenseless people … [the Mahdi] Army came as well, but it did not quench their thirst for the blood of Sunnis in Iraq, and their militias are now crossing, by the dozens, to support the regime of Bashar, the dog of the Nusayris". Abu Muhammad al-Adnani, "Iraq, Iraq – O Sunni People", quoted in Al-Furqan Media Establishment, 24 February 2012, reproduced in Brian Fishman, "The evidence of Jihadist activity in Syria", Combating Terrorism Center at West Point, 22 May 2012. See also Nir Rosen, "Islamism and the Syrian Uprising", *Foreign Policy*, 8 March 2012.

[110] Iraq's foreign minister, Hoshyar Zeibari, made this allegation in a press conference in early July 2012: "We have solid information and intelligence that members of al Qaeda terrorist networks have gone in the other direction, to Syria, to help, to liaise, to carry out terrorist attacks". Quoted in "Iraq says al Qaeda members crossing into Syria", Reuters, 5 July 2012.

[111] Ibid.

[112] Crisis Group interview, Baghdad, May 2012. In response, a Turkish official said that rather than fearing a Sunni takeover of Iraq, Maliki should be putting his own house in order – by implementing the power-sharing arrangement. Crisis Group interview, Ankara, 25 June 2012.

Driven by such anxieties, Maliki's government has refrained from publicly airing the strong criticism of the Syrian regime it readily volunteers in private. A critic said: "A year ago, Maliki could have saved the situation [for himself] concerning Syria, but now it is too late: he looks sectarian [pro-Alawite].[113] He has made things worse and looks hypocritical in light of the 1991 massacre of Shiites in Iraq".[114]

While Maliki may not have actively or materially backed the regime in Damascus, he has done little to dispel the notion that he supports Assad in spirit, even if his stated motivation is that he fears a successor regime more than he despises the current one. Moreover, Maliki has barely reached out to the Syrian opposition, citing its fragmented nature and a Saudi effort to block such contacts. Government officials claim that the prime minister extended an invitation to Syrian opposition leaders on more than one occasion, but that they either did not respond or said they would be willing to come to Baghdad only if Maliki explicitly distanced himself from the regime[115] – a move the prime minister has yet to make.

[113] The Alawites are a heterodox Shiite sect. While many mainstream Twelver Shiites and other Muslims consider Alawites apostates, some Iraqi Shiite Islamist politicians have expressed solidarity with Syria's Alawites, blaming Saudi Arabia for casting the conflict in Syria in sectarian terms. Crisis Group interviews, Baghdad, June 2012. Sectarian rhetoric has originated in both Sunni and Shiite quarters in the region, however, mirroring each other. In this black-and-white worldview, Shiite support for the Alawites, to the extent that it exists, appears politically driven and linked to the larger regional struggle between Iran and its allies and the Gulf Arab states and theirs.

[114] Crisis Group interview, Western diplomat, Baghdad, May 2012.

[115] Crisis Group interview, Hussain al-Shahristani, deputy prime minister, Baghdad, 20 May 2012. He also said that Maliki had urged the Assad regime in 2011 to engage with the opposition and include them in order to prepare for the inevitable changes: "There is a genuine opposition to the regime". He added: "We are willing to work with the Syrian opposition to bring about peaceful change. If the Syrian people end up choosing the Muslim Brotherhood [to govern them], we will respect their choice".

IV. RIGHTING THE DRIFTING SHIP OF STATE

The current political crisis is unsustainable. Maliki has lost most of his coalition partners in a poorly-designed power-sharing scheme and lacks the necessary support to form a majority-based government. His harshest critics have indicated that things have reached a point of no-return, especially between Masoud Barzani and the prime minister, the former reportedly feeling personally betrayed by the latter's serial failure to fulfil his commitments. They say that either Maliki's program must be changed, or he must be.[116] They acknowledge that the effort to unseat Maliki might fail, but contend that "by leaving him in place things will get worse, and in two years we won't be able to get rid of him. We have to take the risk".[117] Sectarian polarisation in the region is further heightening fears and distorting mutual perceptions of motives in a domestic power struggle.

The crisis conceivably can be managed until the 2014 elections, at which point the people will have a chance to clarify the situation. More likely, the current ethno-sectarian logic will be the driving dynamics of politics for years to come. If such is the case, external events – and most notably the trajectory and eventual outcome of the Syrian crisis – will continue to exert disproportionate influence on domestic affairs. If the situation cannot be contained in Syria, conflict risks spilling over into Iraq and aggravating both sectarian (Sunni-Shiite) and ethnic (Arab-Kurd) tensions.

For now, short of the decisive change the opposition seeks, Iraqi elites will have to find a way forward without bringing down the entire post-2003 order. Maliki clearly has accumulated power and deployed the state's repressive apparatus against his enemies, but his success owes much to the fact that his government partners doubling up as opposition leaders have been utterly ineffective in restraining him. Their main strength lies in their numbers, in both government and parliament; their principal weakness remains their internal divisions. They would be better inspired to try to identify common ground and forge a strategy on that basis than to pursue an elusive quest to oust an elected prime minister who appears – for now – to enjoy the tolerance if not support of both Iran and the U.S.[118]

[116] Crisis Group interviews, Kurdish officials, Erbil, 22 and 23 June 2012.

[117] Crisis Group interview, Saleh Mutlak, Baghdad, 21 June 2012.

[118] As İbrahim Kalın, foreign policy adviser to Turkish Prime Minister Erdoğan, put it: "Maliki is a product of a U.S.-Iran consensus. Once the balance of power changes …" Crisis Group interview, Ankara, 25 June 2012.

At this juncture, the top priority for any parliamentary strategy should be to ensure that the next elections take place on schedule and are conducted freely and fairly. This in turn will require first and foremost putting in place an independent board for the electoral commission. Such an effort is underway, with UN technical assistance, but the process has been slow and has faced interference from Maliki who was profoundly displeased with the outcome of the 2010 elections and blames his enemies for cheating and the UN for ratifying the results before complaints could be lodged and alleged infractions investigated.[119] If the opposition does not have the numbers to marshal a no-confidence vote, they certainly will have a majority to do the relatively less controversial job of protecting the electoral commission's integrity and shepherding through workable electoral law for both provincial elections in 2013 and parliamentary ones the following year, and possibly to establish basic rules for the Federal Supreme Court.[120] Iyad Samarraie, who was parliamentary speaker during part of Maliki's first term, argued:

> We still have a chance if we start working as a team, based on the nine points issued in Erbil [on 28 April 2012]. We should prepare legislation and ask President Talabani to submit it. We have the majority to pass it. In doing so we should make clear that we are not acting against Maliki but are merely implementing the Erbil agreement, and that these are not measures aimed against the Shiites but at building democracy.[121]

Likewise, Ammar al-Hakim, the ISCI leader, said: "If the Erbil Group leaders believe they have the numbers required for a no-confidence vote, then they certainly have enough for implementing some of the needed reforms, because in that case we would join them".[122] Likewise, Maliki's critics in the council of ministers should press forward with a draft text for rules of procedure for the council.

A more hostile but possibly effective step parliament could take to check Maliki's ability to amass or abuse power would be to reduce funding for the prime minister's office in the next annual budget, if indeed Maliki continues to resist sharing power. The deputies have cut Maliki's funds in the past and could do so again, thereby limiting his ability to use some of the most controversial institutions with which he has surrounded himself, such as the office of the commander-in-chief, against his opponents.[123]

Should Maliki's rivals fail in drawing him back into the original power-sharing deal and instituting much-needed reforms, there is reason to worry about the next elections: whether they will take place on time, or at all, and whether they will be free and fair. In the current climate of distrust, concerns already are being expressed regarding potential fraud; these stem from partisan interpretations of what happened during the 2010 elections and reflect the heightened stakes arising from the political breakdown.[124] Deputy Prime Minister Rowsch Shaways (a senior KDP leader) said: "We believe that if the current situation continues, it will be difficult to have fair elections. It is therefore critical to find solutions now".[125]

ISCI's Adel Abd-al-Mahdi, a former vice president and a perennial contender for the prime minister's job, added: "If there will be major fraud in the next elections, this will delegitimise the whole system and widen the gulf between those in power and the people, the government and the parties, and the centre and the regions".[126] A Sadrist parliamentarian had a specific warning for Maliki. He said that the prime minister and others failed to learn from Saddam Hussein's mistake of placing his trust in his security forces, which were a good deal stronger than Maliki's are today:

> In half an hour [in 2003] all the officers vanished, because they wanted to preserve their privileges and protect their families. Today, all the officers are rich. So why would they defend the country? Or a person? They

[119] A State of Law parliamentarian, Sadiq al-Rikabi, claimed the March 2010 elections were marred by huge fraud (alleged instances of which he cited), with the U.S. imposing the results (Iraqiya's narrow victory over State of Law). He singled out the Independent High Electoral Commission for having supervised and perpetrated this fraud, and expressed doubt that the new commission, with a new board, would do any better. Crisis Group interview, Baghdad, 21 May 2012.

[120] Passage of a political parties law is another priority, as is a law defining the powers of the commander-in-chief.

[121] Crisis Group interview, Baghdad, 16 May 2012.

[122] Crisis Group interview, Baghdad, 20 June 2012. Another leader, Ibrahim Jaafari, also said he wanted a national conference and pursuit of certain key reforms until the next elections. He said: "Our country can't handle a no-confidence vote". Crisis Group interview, Baghdad, 21 June 2012.

[123] In 2011, parliament reduced the budget for the offices of Iraq's three most senior posts: those of president, prime minister and parliament speaker. Funds for the prime ministry cover the ministers of state (for example, for national security, provincial affairs and parliamentary affairs), the prime minister's advisory office, the office of the commander-in-chief, the office of intelligence information and security, and myriad other associated offices.

[124] Sadiq al-Rikabi of State of Law accused the opposition of provoking crises to prevent the government from being active and successful, thus weakening it ahead of the next elections and influencing the outcome. Crisis Group interview, Baghdad, 21 June 2012. In turn, Saleh Mutlak accused Maliki of being "an expert at creating crises" to deflect from his inability to deliver services to people. Crisis Group interview, Baghdad, 21 June 2012.

[125] Crisis Group interview, Baghdad, 21 May 2012.

[126] Crisis Group interview, Baghdad, 20 May 2012.

> will not do so. We, on the other hand, represent the people, the poor. One signal from Sayed Muqtada [Sadr], and they will sacrifice themselves. Look at us. Our people were able to expel the [U.S.] occupation. All our fighters are now without jobs or services. Maliki doesn't realise it, but they could take out a government. If there is fraud in the next elections, there will be big trouble.[127]

For now, the U.S. has refrained from openly taking sides in the political tug of war. The Obama administration endorsed Maliki's second term and seems content to see him remain in place as long as power struggles play themselves out within legal and constitutional boundaries. It appears particularly eager to prevent any major crisis from erupting in Iraq during an election year in the U.S. To this end, the administration has urged Maliki to respect the constitution and laws. Likewise, it has cautioned opposition leaders that in its estimation they will be unable to muster the votes needed to oust Maliki; even if they were to succeed, U.S. officials add, they almost certainly could not form a new government, leaving Maliki in a caretaker position until the 2014 elections. Washington also has signalled that the real test will come with the next polls.[128] Overall, however, U.S. influence appears to be on the decline; notably, the administration's failure to appoint a new ambassador to Baghdad has left a diplomatic vacuum during this particularly sensitive period.

If it wishes to stabilise the situation, the Erdoğan government will have to significantly rethink its posture. By alienating the elected prime minster, it is running the risk not only of cutting itself from the Iraqi economy but also of bolstering the very centrifugal forces it has feared and acted against in the past. Its first strategic error was to abandon its farsighted policy of neutrality vis-à-vis Iraq's political actors in 2009; its second was to go a step further by throwing its diplomatic weight behind the no-confidence vote idea. To repair the damage, it should reactivate the 48 agreements on energy, security and economic cooperation it signed with Baghdad in 2009 as a first step toward reviving the High-Level Strategic Cooperation Council Baghdad and Ankara established the previous year.[129] While Maliki's suspicions hardly will be allayed by a renewed Turkish rapprochement, Iraqi government leaders nonetheless understand the importance of maintaining strong relations with Turkey. Deputy Prime Minister Sharistani said:

> Relations between Turkey and Iraq must be repaired. The Turkish prime minister made some undiplomatic remarks that constituted interference in Iraq's internal affairs. But this has not affected our trade relations, and our master plan for new pipelines to Turkey as well as Syria is moving ahead. Our relationship has to be brought back to normal. We did this with Kuwait, which was much harder. We have no serious differences between us.[130]

A more calibrated Turkish approach that would keep diplomatic relations on an even keel might stand a better chance of eventually producing a leadership in Baghdad that Turkish leaders feel they can trust than making an outright enemy of the current regime. In particular, Baghdad and Ankara should work to improve bilateral relations by ending damaging sectarian rhetoric directed at one another, reestablishing contacts at the leadership level, appointing high-level envoys to their counterpart's capital who would be dedicated to restoring relations, reviving the 2008 High-Level Strategic Cooperation Council and stepping up implementation of the 48 agreements on energy, security and economic cooperation signed in 2009.

[127] Crisis Group interview, Baghdad, May 2012.
[128] Crisis Group interviews, U.S. officials, May and June 2012.
[129] In Baghdad in July 2008, Erdoğan and Maliki signed a "Joint Political Declaration on the Establishment of the High-Level Strategic Cooperation Council" between the two countries that outlined their future relationship. The event marked the first visit by a Turkish leader to Iraq in over twenty years. A year later, in June 2009, the two countries signed a military cooperation accord; four months later they signed 48 cooperation agreements. Shortly afterward, Turkey opened consulates in Basra and Erbil; it already operated one in Mosul, the only nation to do so.
[130] Crisis Group interview, Baghdad, 20 May 2012.

V. CONCLUSION

A reinvigorated, collective approach is needed to steer Iraq away from its current, dangerous path. This calls for domestic actors, the prime minister and his opponents, as well as relevant foreign powers, to foster genuine dialogue and reach greater compromise. First and foremost, the parties to the conflict should convene a national conference as soon as possible to discuss the principal issues dividing them and work toward a practicable power-sharing arrangement that should remain in place until the next parliamentary elections. Maliki in particular should commit publicly not to seek a third term as prime minister after the next elections for the sake of national unity, to fully implement the 2010 Erbil agreement, and to hold provincial and parliamentary elections on schedule.

For their part, Maliki's opponents should end the effort to unseat him through a parliamentary no-confidence vote and instead build on the one issue on which they agree – the need to limit his powers – by using their parliamentary strength to protect the independence of the Independent High Electoral Commission and pass long-overdue key legislation, including laws allowing for free and fair provincial elections in 2013 and parliamentary elections in 2014, as well as a political parties law.

The Obama administration – still an influential player – should use its leverage to press the parties to return to power sharing, urge the opposition to use its parliamentary strength to push through key legislation, speak out publicly when the Maliki government or any other actor violates democratic rules or when presented with evidence of human rights abuses, encourage the government to organise provincial and parliamentary elections on schedule and help ensure that they be free and fair.

Baghdad/Erbil/Brussels, 30 July 2012

APPENDIX A

MAP OF IRAQ

APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

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

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

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by former U.S. Undersecretary of State and Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters is in Brussels, and the organisation has offices or representation in 34 locations: Abuja, Bangkok, Beijing, Beirut, Bishkek, Bogotá, Bujumbura, Cairo, Dakar, Damascus, Dubai, Gaza, Guatemala City, Islamabad, Istanbul, Jakarta, Jerusalem, Johannesburg, Kabul, Kathmandu, London, Moscow, Nairobi, New York, Port-au-Prince, Pristina, Rabat, Sanaa, Sarajevo, Seoul, Tbilisi, Tripoli, Tunis and Washington DC. Crisis Group currently covers some 70 areas of actual or potential conflict across four continents. In Africa, this includes, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Sierra Leone, Somalia, South Sudan, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Malaysia, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, North Caucasus, Serbia and Turkey; in the Middle East and North Africa, Algeria, Bahrain, Egypt, Iran, Iraq, Israel-Palestine, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia, Western Sahara and Yemen; and in Latin America and the Caribbean, Colombia, Guatemala, Haiti and Venezuela.

Crisis Group receives financial support from a wide range of governments, institutional foundations, and private sources. The following governmental departments and agencies have provided funding in recent years: Australian Agency for International Development, Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Belgian Ministry of Foreign Affairs, Canadian International Development Agency, Canadian International Development and Research Centre, Foreign Affairs and International Trade Canada, Royal Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Commission, Finnish Ministry of Foreign Affairs, German Federal Foreign Office, Irish Aid, Principality of Liechtenstein, Luxembourg Ministry of Foreign Affairs, New Zealand Agency for International Development, Royal Norwegian Ministry of Foreign Affairs, Swedish International Development Agency, Swedish Ministry for Foreign Affairs, Swiss Federal Department of Foreign Affairs, Turkish Ministry of Foreign Affairs, United Kingdom Department for International Development, U.S. Agency for International Development.

The following institutional and private foundations have provided funding in recent years: Adessium Foundation, Carnegie Corporation of New York, The Charitable Foundation, The Elders Foundation, Henry Luce Foundation, William & Flora Hewlett Foundation, Humanity United, Hunt Alternatives Fund, John D. & Catherine T. MacArthur Foundation, Open Society Institute, Ploughshares Fund, Rockefeller Brothers Fund and VIVA Trust.

July 2012

APPENDIX C

CRISIS GROUP REPORTS AND BRIEFINGS ON THE MIDDLE EAST AND NORTH AFRICA SINCE 2009

Israel/Palestine

Ending the War in Gaza, Middle East Briefing N°26, 5 January 2009 (also available in Arabic and Hebrew).

Gaza's Unfinished Business, Middle East Report N°85, 23 April 2009 (also available in Hebrew and Arabic).

Israel's Religious Right and the Question of Settlements, Middle East Report N°89, 20 July 2009 (also available in Arabic and Hebrew).

Palestine: Salvaging Fatah, Middle East Report N°91, 12 November 2009 (also available in Arabic).

Tipping Point? Palestinians and the Search for a New Strategy, Middle East Report N°95, 26 April 2010 (also available in Arabic and Hebrew).

Drums of War: Israel and the "Axis of Resistance", Middle East Report N°97, 2 August 2010 (also available in Hebrew and Arabic).

Squaring the Circle: Palestinian Security Reform under Occupation, Middle East Report N°98, 7 September 2010 (also available in Arabic and Hebrew).

Gaza: The Next Israeli-Palestinian War?, Middle East Briefing N°30, 24 March 2011 (also available in Hebrew and Arabic).

Radical Islam in Gaza, Middle East/North Africa Briefing N°104, 29 March 2011 (also available in Arabic and Hebrew).

Palestinian Reconciliation: Plus Ça Change ..., Middle East Report N°110, 20 July 2011 (also available in Arabic and Hebrew).

Curb Your Enthusiasm: Israel and Palestine after the UN, Middle East Report N°112, 12 September 2011 (also available in Arabic and Hebrew).

Back to Basics: Israel's Arab Minority and the Israeli-Palestinian Conflict, Middle East Report N°119, 14 March 2012 (also available in Arabic).

The Emperor Has No Clothes: Palestinians and the End of the Peace Process, Middle East Report N°122, 7 May 2012 (also available in Arabic).

Egypt/Syria/Lebanon

Engaging Syria? Lessons from the French Experience, Middle East Briefing N°27, 15 January 2009 (also available in Arabic and French).

Engaging Syria? U.S. Constraints and Opportunities, Middle East Report N°83, 11 February 2009 (also available in Arabic).

Nurturing Instability: Lebanon's Palestinian Refugee Camps, Middle East Report N°84, 19 February 2009 (also available in Arabic and Hebrew).

Lebanon's Elections: Avoiding a New Cycle of Confrontation, Middle East Report N°87, 4 June 2009 (also available in French).

Reshuffling the Cards? (I): Syria's Evolving Strategy, Middle East Report N°92, 14 December 2009 (also available in Arabic).

Reshuffling the Cards? (II): Syria's New Hand, Middle East Report N°93, 16 December 2009 (also available in Arabic).

Lebanon's Politics: The Sunni Community and Hariri's Future Current, Middle East Report N°96, 26 May 2010 (also available in Arabic).

Nouvelle crise, vieux démons au Liban : les leçons oubliées de Bab Tebbaneh/Jabal Mohsen, Middle East Briefing N°29, 14 October 2010.

Trial by Fire: The Politics of the Special Tribunal for Lebanon, Middle East Report N°100, 2 December 2010.

Popular Protest in North Africa and the Middle East (I): Egypt Victorious?, Middle East/North Africa Report N°101, 24 February 2011 (also available in Arabic).

Uncharted Waters: Thinking Through Syria's Dynamics, Middle East Briefing N°31, 24 November 2011 (also available in Arabic).

Popular Protest in North Africa and the Middle East (VI): The Syrian People's Slow-motion Revolution, Middle East Report N°108, 6 July 2011 (also available in Arabic).

Popular Protest in North Africa and the Middle East (VII): The Syrian Regime's Slow-motion Suicide, Middle East Report N°109, 13 July 2011 (also available in Arabic).

Lebanon's Palestinian Dilemma: The Struggle Over Nahr al-Bared, Middle East Report N°117, 1 March 2012 (also available in Arabic).

Now or Never: A Negotiated Transition for Syria, Middle East Briefing N°32, 5 March 2012 (also available in Arabic and Russian).

Syria's Phase of Radicalisation, Middle East Briefing N°33, 10 April 2012 (also available in Arabic).

Lost in Transition: The World According to Egypt's SCAF, Middle East/North Africa Report N°121, 24 April 2012 (also available in Arabic).

North Africa

Popular Protests in North Africa and the Middle East (IV): Tunisia's Way, Middle East/North Africa Report N°106, 28 April 2011 (also available in French).

Popular Protest in North Africa and the Middle East (V): Making Sense of Libya, Middle East/North Africa Report N°107, 6 June 2011 (also available in Arabic).

Holding Libya Together: Security Challenges after Qadhafi, Middle East/North Africa Report N°115, 14 December 2011 (also available in Arabic).

Tunisie : lutter contre l'impunité, retrouver la sécurité, Middle East/North Africa Report N°123, 9 May 2012.

Tunisie : relever les défis économiques et sociaux, Middle East/North Africa Report N°124, 6 June 2012.

Iraq/Iran/Gulf

Iraq's Provincial Elections: The Stakes, Middle East Report N°82, 27 January 2009 (also available in Arabic).

Yemen: Defusing the Saada Time Bomb, Middle East Report N°86, 27 May 2009 (also available in Arabic).

U.S.-Iranian Engagement: The View from Tehran, Middle East Briefing N°28, 2 June 2009 (also available in Farsi and Arabic).

Iraq and the Kurds: Trouble Along the Trigger Line, Middle East Report N°88, 8 July 2009 (also available in Kurdish and Arabic).

Iraq's New Battlefront: The Struggle over Ninewa, Middle East Report N°89, 28 September 2009 (also available in Kurdish and Arabic).

Iraq's Uncertain Future: Elections and Beyond, Middle East Report N°94, 25 February 2010 (also available in Arabic).

Loose Ends: Iraq's Security Forces between U.S. Drawdown and Withdrawal, Middle East Report N°99, 26 October 2010 (also available in Arabic).

Popular Protest in North Africa and the Middle East (II): Yemen between Reform and Revolution, Middle East Report N°102, 10 March 2011(also available in Arabic).

Iraq and the Kurds: Confronting Withdrawal Fears, Middle East Report N°103, 28 March 2011 (also available in Arabic and Kurdish).

Popular Protests in North Africa and the Middle East (III): The Bahrain Revolt, Middle East Report N°105, 4 April 2011(also available in Arabic).

Popular Protest in North Africa and the Middle East (VIII): Bahrain's Rocky Road to Reform, Middle East Report N°111, 28 July 2011 (also available in Arabic).

Failing Oversight: Iraq's Unchecked Government, Middle East Report N°113, 26 September 2011 (also available in Arabic).

Breaking Point? Yemen's Southern Question, Middle East Report N°114, 20 October 2011 (also available in Arabic).

In Heavy Waters: Iran's Nuclear Program, the Risk of War and Lessons from Turkey, Middle East Report N°116, 23 February 2012 (also available in Arabic and Turkish).

Popular Protest in North Africa and the Middle East (IX): Dallying with Reform in a Divided Jordan, Middle East Report N°118, 12 March 2012 (also available in Arabic).

Iraq and the Kurds: The High-Stakes Hydrocarbons Gambit, Middle East Report N°120, 19 April 2012 (also available in Arabic).

The P5+1, Iran and the Perils of Nuclear Brinkmanship, Middle East Briefing N°34, 15 June 2012.

APPENDIX D

INTERNATIONAL CRISIS GROUP BOARD OF TRUSTEES

CHAIR

Thomas R Pickering
Former U.S. Undersecretary of State; Ambassador to the UN, Russia, India, Israel, Jordan, El Salvador and Nigeria

PRESIDENT & CEO

Louise Arbour
Former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and Rwanda

VICE-CHAIRS

Ayo Obe
Legal Practitioner, Lagos, Nigeria

Ghassan Salamé
Dean, Paris School of International Affairs, Sciences Po

EXECUTIVE COMMITTEE

Morton Abramowitz
Former U.S. Assistant Secretary of State and Ambassador to Turkey

Cheryl Carolus
Former South African High Commissioner to the UK and Secretary General of the ANC

Maria Livanos Cattaui
Former Secretary-General of the International Chamber of Commerce

Yoichi Funabashi
Chairman of the Rebuild Japan Initiative; Former Editor-in-Chief, *The Asahi Shimbun*

Frank Giustra
President & CEO, Fiore Financial Corporation

Lord (Mark) Malloch-Brown
Former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP)

Moisés Naím
Senior Associate, International Economics Program, Carnegie Endowment for International Peace; Former Editor in Chief, *Foreign Policy*

George Soros
Chairman, Open Society Institute

Pär Stenbäck
Former Foreign Minister of Finland

OTHER BOARD MEMBERS

Nahum Barnea
Chief Columnist for *Yedioth Ahronoth*, Israel

Samuel Berger
Chair, Albright Stonebridge Group LLC; Former U.S. National Security Adviser

Emma Bonino
Vice President of the Italian Senate; Former Minister of International Trade and European Affairs of Italy and European Commissioner for Humanitarian Aid

Micheline Calmy-Rey
Former President of the Swiss Confederation and Foreign Affairs Minister

Wesley Clark
Former NATO Supreme Allied Commander

Sheila Coronel
Toni Stabile Professor of Practice in Investigative Journalism; Director, Toni Stabile Center for Investigative Journalism, Columbia University, U.S.

Mark Eyskens
Former Prime Minister of Belgium

Nabil Fahmy
Former Ambassador of Egypt to the U.S. and Japan; Founding Dean, School of Public Affairs, American University in Cairo

Joshua Fink
CEO & Chief Investment Officer, Enso Capital Management LLC

Joschka Fischer
Former Foreign Minister of Germany

Lykke Friis
Former Climate & Energy Minister and Minister of Gender Equality of Denmark; Former Prorector at the University of Copenhagen

Jean-Marie Guéhenno
Arnold Saltzman Professor of War and Peace Studies, Columbia University; Former UN Under-Secretary-General for Peacekeeping Operations

Carla Hills
Former U.S. Secretary of Housing and U.S. Trade Representative

Lena Hjelm-Wallén
Former Deputy Prime Minister and Foreign Minister of Sweden

Mo Ibrahim
Founder and Chair, Mo Ibrahim Foundation; Founder, Celtel International

Igor Ivanov
Former Foreign Minister of the Russian Federation

Asma Jahangir
President of the Supreme Court Bar Association of Pakistan, Former UN Special Rapporteur on the Freedom of Religion or Belief

Wadah Khanfar
Co-Founder, Al Sharq Forum; Former Director General, Al Jazeera Network

Wim Kok
Former Prime Minister of the Netherlands

Ricardo Lagos
Former President of Chile

Joanne Leedom-Ackerman
Former International Secretary of PEN International; Novelist and journalist, U.S.

Lalit Mansingh
Former Foreign Secretary of India, Ambassador to the U.S. and High Commissioner to the UK

Benjamin Mkapa
Former President of Tanzania

Laurence Parisot
President, French Business Confederation (MEDEF)

Karim Raslan
Founder, Managing Director and Chief Executive Officer of KRA Group

Paul Reynolds
President & Chief Executive Officer, Canaccord Financial Inc.

Javier Solana
Former EU High Representative for the Common Foreign and Security Policy, NATO Secretary-General and Foreign Minister of Spain

Liv Monica Stubholt
Senior Vice President for Strategy and Communication, Kvaerner ASA; Former State Secretary for the Norwegian Ministry of Foreign Affairs

Lawrence Summers
Former Director of the US National Economic Council and Secretary of the U.S. Treasury; President Emeritus of Harvard University

Wang Jisi
Dean, School of International Studies, Peking University; Member, Foreign Policy Advisory Committee of the Chinese Foreign Ministry

Wu Jianmin
Executive Vice Chairman, China Institute for Innovation and Development Strategy; Member, Foreign Policy Advisory Committee of the Chinese Foreign Ministry; Former Ambassador of China to the UN (Geneva) and France

Lionel Zinsou
CEO, PAI Partners

PRESIDENT'S COUNCIL

A distinguished group of individual and corporate donors providing essential support and expertise to Crisis Group.

Mala Gaonkar
Frank Holmes
Steve Killelea
George Landegger
Ford Nicholson & Lisa Wolverton
Harry Pokrandt
Shearman & Sterling LLP
Ian Telfer
White & Case LLP
Neil Woodyer

INTERNATIONAL ADVISORY COUNCIL

Individual and corporate supporters who play a key role in Crisis Group's efforts to prevent deadly conflict.

APCO Worldwide Inc.
Stanley Bergman & Edward Bergman
Harry Bookey & Pamela Bass-Bookey
BP
Chevron
Neil & Sandra DeFeo Family Foundation
Equinox Partners
Fares I. Fares
Neemat Frem
Seth & Jane Ginns
Alan Griffiths
Rita E. Hauser
Sir Joseph Hotung
Iara Lee & George Gund III Foundation
George Kellner
Amed Khan
Faisel Khan
Zelmira Koch Polk
Elliott Kulick
Liquidnet
Jean Manas & Rebecca Haile
McKinsey & Company
Harriet Mouchly-Weiss
Näringslivets Internationella Råd (NIR) – International Council of Swedish Industry
Griff Norquist
Ana Luisa Ponti & Geoffrey R. Hoguet
Kerry Propper
Michael L. Riordan
Shell
Nina Solarz
Statoil
Belinda Stronach
Talisman Energy
Tilleke & Gibbins
Kevin Torudag
VIVA Trust
Yapı Merkezi Construction and Industry Inc.
Stelios S. Zavvos

SENIOR ADVISERS

Former Board Members who maintain an association with Crisis Group, and whose advice and support are called on (to the extent consistent with any other office they may be holding at the time).

Martti Ahtisaari
Chairman Emeritus
George Mitchell
Chairman Emeritus
Gareth Evans
President Emeritus
Kenneth Adelman
Adnan Abu Odeh
HRH Prince Turki al-Faisal
Hushang Ansary
Óscar Arias
Ersin Arıoğlu
Richard Armitage
Diego Arria
Zainab Bangura
Shlomo Ben-Ami
Christoph Bertram
Alan Blinken
Lakhdar Brahimi
Zbigniew Brzezinski
Kim Campbell
Jorge Castañeda
Naresh Chandra
Eugene Chien
Joaquim Alberto Chissano
Victor Chu
Mong Joon Chung
Pat Cox
Gianfranco Dell'Alba
Jacques Delors
Alain Destexhe
Mou-Shih Ding
Uffe Ellemann-Jensen
Gernot Erler
Marika Fahlén
Stanley Fischer
Malcolm Fraser
I.K. Gujral
Swanee Hunt
Max Jakobson
James V. Kimsey
Aleksander Kwasniewski
Todung Mulya Lubis
Allan J. MacEachen
Graça Machel
Jessica T. Mathews
Nobuo Matsunaga
Barbara McDougall
Matthew McHugh
Miklós Németh
Christine Ockrent
Timothy Ong
Olara Otunnu
Lord (Christopher) Patten
Shimon Peres
Victor Pinchuk
Surin Pitsuwan
Cyril Ramaphosa
Fidel V. Ramos
George Robertson
Michel Rocard
Volker Rühe
Güler Sabancı
Mohamed Sahnoun
Salim A. Salim
Douglas Schoen
Christian Schwarz-Schilling
Michael Sohlman
Thorvald Stoltenberg
Leo Tindemans
Ed van Thijn
Simone Veil
Shirley Williams
Grigory Yavlinski
Uta Zapf
Ernesto Zedillo