

The Revolutionary Road to a Transition in Iraq

By Ian Williams | May 26, 2004

The draft resolution on Iraq that the British and the Americans proposed for discussion on May 24th is an outstanding example of fuzzy diplomacy in its desperate attempt to obscure all the difficult parts.

Even before the members of the Security Council who are not members of the Coalitional Provisional Authority in Iraq got their hands on the text, it already showed signs of intense negotiations, both between the British and Americans, and inside Washington between the various factions. And we have yet to hear from the yet-to-be-named Iraqi Interim government, which is the ghost at the feast of this diplomatic party!

Under intense and possibly terminal pressure at home, British Prime Minister Blair has declared that the so called Multinational Force will leave if the Iraqis ask. However, American statements have been ambiguously contradictory on the question of leaving if ordered. Although it truly, deeply and sincerely does want to declare victory—again—before the U.S. elections, the White House has to accommodate the ideologues in the Pentagon who want to hang on in Iraq, so the resolution fudges the issues.

As a result, while British Ambassador Emyr Jones Parry said the draft resolution “underlines quite clearly that all sovereignty will be returned to the Iraqis and the interim Iraqi government will assume total responsibility for its own sovereignty,” the resolution deprives the Iraqi government of one of the most basic attributes of sovereignty—the control over military forces operating on its territory.

Jones Parry said that the multinational force (MNF) “will operate with the consent, in consultation and partnership with the Iraqi government.” However, this is more in the nature of an optimistic prayer than a serious prognosis. The draft resolution leaves hard details of the “consent, consultation and partnership” between the MNF and the interim government, to a future exchange of letters between the administration and the commander of the force.

The Control of Military Forces in a “Sovereign” Iraq

The powers of the MNF and its relationship with the Interim government are at the core of any real sovereignty and Pentagon people have already

claimed a dual mandate—the consent of the Iraqi administration and the UN mandate. In the present draft, the MNF’s mandate from the Security Council would be “reviewed” at the request of the new Iraqi government or at the end of twelve months. But the dangerous implication is that it would be the form of the presence rather than the fact of the presence itself that would be under review. The Americans could veto any attempt to withdraw

the MNF mandate, and that is indeed implied in Bush’s May 24th speech in which he talked of staying in Iraq until the job is done.

Wary of previous American attempts to continue to claim the authority of UN resolutions for unilateral

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action well after their sell-by date, the French want a sunset clause on the force. They want its mandate to terminate after a fixed period unless the Security Council actively renews it and approves its presence. It seems a reasonable return for a UN mandate for a force that most members consider entered Iraq illegally anyway.

Apart from the basic question of consent for the presence of the force, there is the issue of command and control—which is surely of added urgency in the light of recent behavior of U.S. forces. There are sound military reasons why the MNF would want unified command, and would not necessarily want micromanagement by an Iraqi administration, but one can hardly talk of sovereignty if the government has no authority to lay down guidelines on bombing mosques, shooting up wedding parties or arresting, detaining, torturing and killing Iraqi citizens.

While the Iraqi administration will not control the MNF, neither will the UN, under whose official aegis the troops will operate. Neither the MNF nor the specific protection force for the UN operations will be UN “Blue Helmets,” nor will they in anyway report to the UN. However, the UN will provide the force with the legal mandate that several Pentagon spokesmen have suggested overrides any question of the consent or otherwise of the Iraqi administration for the MNF to remain and carry out operations.

Follow the Money

On finances, the resolution has made some extra concessions. It would hand over the Iraq Development Fund balances, derived from Oil For Food surpluses and some, at least, of the confiscated Ba’athist funds to the new authority, but under the continuing monitoring of the International Board that was set up to try to stop Bremer from handing it

all to Halliburton. But there is no recourse on the contracts already committed under it.

Interestingly, smuggled in there in a web of dense cross references to other resolutions is a crucial clause. It refers to paragraph 20 of resolution 1483. Shamefully, this means that the new sovereign Iraqi government must continue to pay 5% of its oil revenues in reparations to the UN’s Compensation Commission, in effect to Kuwait, even as the resolution calls upon Paris Club members to “substantially reduce” Iraq’s sovereign debt.

One supposes that spelling out the reparations issue may make others less eager to subsidize Kuwait but the evasion is just one of many elements that could make other countries suspect less than forthrightness in the resolution and once again, vindictive reparations are hardly the way to win the hearts and minds of Iraqis to the new dispensation.

Apart from President Bush’s desire to pass the buck on to the UN, the implicit logic of involving the international community with the transition in Iraq is that since the UN did not authorize the invasion, its blessing would free any future government from the stigma of occupation, thus lending it legitimacy in the eyes of a sceptical Iraqi populace.

By trying to involve the UN, even implicitly, in a continued occupation, the U.S. is actually ruining its chances of a successful transition. Having U.S. heavy ordnance dropping on Iraqi citizens despite the wishes of the Iraqi government but under the mandate of the UN is hardly likely to enhance the reputation or bless the lineage of any future regime. It will legitimize the actions of hardline elements that are so comprehensively damned as terrorists in a paragraph of the draft resolution that clearly owes much to retrospective self-justification.

While the Bush administration has already, at least by its own standards, climbed down considerably

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over the course of the year as the neocon pipedreams of a happily liberated pro-American pro-Israeli Iraq evaporated, the non-CPA members of the Security Council know they have a rare opportunity to use the leverage of the impending presidential elections to get even more concessions. It is unlikely that other members of the Security Council will accept a blank check drawn on an as yet unnamed and ungratified body as good political credit.

The French have put their finger on it. They will in fact be doing the Bush administration a favor if they hold their ground and include in the UN resolution the power of the Iraqi government to order out the MNF—and a binding commitment from the US to go when asked.

Otherwise, the U.S. stays in the hole it has dug itself indefinitely, which may be an apt form of poetic justice but which is not fair either to the Iraqis or to the bewildered and misled GI's.

(Ian Williams contributes frequently to Foreign Policy in Focus (online at www.fpif.org) on UN and international affairs.)

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