Order Code RL31339

Iraq: U.S. Regime Change Efforts and the Iraqi Opposition

Updated February 10, 2003

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Summary

In his 2002 and 2003 State of the Union messages, President Bush characterized Iraq as a grave potential threat to the United States because of its insistence on developing weapons of mass destruction (WMD) and the potential for it to transfer WMD to terrorist groups. Since September 2002, the President has said that unless Iraq allows full disarmament of its WMD by United Nations weapons inspectors, the United States would lead a coalition in military action to achieve that disarmament. This would almost certainly include the ouster of Iraq's President Saddam Hussein and his Ba'th Party regime.

Although the Administration has been less vocal about the regime change goal since the September 2002 decision to work through the United Nations to achieve Iraq's disarmament, the Administration maintains that regime change has been declared U.S. policy since November 1998 and remains the desired goal. Even before October 1998, U.S. efforts to oust Saddam had been pursued, with varying degrees of intensity, since the end of the Gulf war in 1991. These efforts primarily involved U.S. backing for opposition groups inside and outside Iraq, some of which are now receiving increased U.S. political and financial support and military training. According to several experts, past efforts to change the regime floundered because of limited U.S. engagement, disorganization of the Iraqi opposition, and the efficiency and ruthlessness of Iraq's several overlapping intelligence and security forces. Previous U.S. administrations ruled out major U.S. military action to change Iraq's regime, believing such action would be costly, risky, and not necessarily justified by the level of Iraq's non-compliance.

Advocates of military action believe that U.S. action would lead to a regime that forswears WMD, respects the human rights and economic well-being of its people, and serves as a model for broader democratization in the Arab world. Others believe that the Iraqi military is seriously weakened after a decade of sanctions and would likely be quickly defeated or defect.

Opponents of military action maintain that there is insufficient international support for unilateral U.S. military action to change Iraq's regime, that doing so could destabilize the Middle East and hinder the broader war on terrorism, and that action could lead to numerous U.S. casualties and a long-term presence in Iraq. Others believe that the threat from Saddam's regime is manageable through means currently in place, such as containment, especially now that Iraq is allowing access to all sites by U.N. weapons inspectors.

This report will be updated as warranted by major developments.

Contents

Iraq: U.S. Regime Change Efforts and the Iraqi Opposition

The United States has been attempting to change Iraq's regime since the 1991 Persian Gulf war, although achieving this goal was not declared policy until 1998. In November 1998, amid a crisis with Iraq over U.N. weapons of mass destruction (WMD) inspections, the Clinton Administration stated that the United States would seek to go beyond containment to promoting a change of regime. A regime change policy was endorsed by the Iraq Liberation Act (P.L. 105-338, October 31, 1998). Bush Administration officials have emphasized regime change as the cornerstone of U.S. policy toward Iraq. This paper discusses past and current U.S. efforts to oust Saddam Hussein and the current debate over the implementation of that policy.

Past Attempts to Oust Saddam

Prior to the launching on January 16, 1991 of Operation Desert Storm, an operation that reversed Iraq's August 1990 invasion of Kuwait, President George H.W. Bush called on the Iraqi people to overthrow Saddam. Within days of the end of the Gulf war (February 28, 1991), opposition Shiite Muslims in southern Iraq and Kurdish factions in northern Iraq, emboldened by the regime's defeat and the hope of U.S. support, launched significant rebellions.[1] The revolt in southern Iraq reached the suburbs of Baghdad, but the well-trained and loyal Republican Guard forces had survived the war largely intact, having been withdrawn from battle prior to the U.S. ground offensive, and the Guard defeated the Shiite rebels by mid-March 1991. The Kurds, benefitting from a U.S.-led "no fly zone" established in April 1991, were able to carve out an autonomous zone in northern Iraq, and remain largely free of Baghdad's rule today.

According to press reports, about two months after the failure of the Shiite uprising, President George H.W. Bush forwarded to Congress an intelligence finding stating that the United States would undertake efforts to promote a military coup against Saddam Hussein; a reported $15 million to $20 million was allocated for that purpose.[2] The Administration apparently believed – and this view apparently still is shared by many experts and U.S. officials – that a coup by elements within the current regime could produce a favorable new government without fragmenting Iraq. Many observers, however, including neighboring governments, feared that Shiite and

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[1] Shiites constitute about 65% of Iraq's population but historically have been repressed and under-represented in governing bodies by the members of the Sunni Muslim sect. Kurds, who are not Arabs, constitute about 20% of the population of about 20 million.

[2] Tyler, Patrick. "Plan On Iraq Coup Told to Congress." *New York Times*, Feb. 9, 1992.

Kurdish groups, if they ousted Saddam, would divide Iraq into warring ethnic and tribal groups, opening Iraq to influence from neighboring Iran, Turkey, and Syria.

An Opposition Coalition Emerges

Reports in July 1992 of a serious but unsuccessful coup attempt suggested that the U.S. strategy might ultimately succeed. However, there was disappointment within the George H.W. Bush Administration that the coup had failed and a decision was made to shift the U.S. approach from promotion of a coup to supporting the diverse opposition groups that had led the postwar rebellions. The Kurdish, Shiite, and other opposition elements were coalescing into a broad and diverse movement that appeared to be gaining support internationally. Congress more than doubled the budget for covert support to the opposition groups to about $40 million for FY1993.[3]

The Iraqi National Congress

The Iraqi National Congress (INC) served as the vehicle for U.S. support. The INC was formed when the two main Kurdish militias — the Kurdistan Democratic Party (KDP), headed by Masud Barzani, and the Patriotic Union of Kurdistan (PUK), headed by Jalal Talabani — participated in a June 1992 meeting in Vienna of dozens of opposition groups. In October 1992, the major Shiite groups came into the coalition when the INC met in Kurdish-controlled northern Iraq. Selected to chair the INC's Executive Committee was Ahmad Chalabi, a secular Shiite Muslim and U.S.-educated mathematician who had fled Iraq to Jordan in 1958, 10 years before the Ba'th Party took power in Iraq (July 1968). He eventually chaired the Petra Bank there, but later ran afoul of Jordanian authorities on charges of financial malfeasance and he left Jordan in 1989. Chalabi maintains that the Jordanian government was pressured by Iraq to turn against him.

The INC initially appeared viable because it brought under one banner varying Iraqi ethnic groups and diverse political ideologies, including nationalists, ex-military officers, and defectors from Iraq's ruling Ba'th Party. The Kurds provided the INC with a source of armed force and a presence on Iraqi territory. Its constituent groups nominally united around a platform that appeared to match U.S. values and interests, including human rights, democracy, pluralism, "federalism" (see below), the preservation of Iraq's territorial integrity, and compliance with U.N. Security Council resolutions on Iraq.[4] However, many observers doubted its commitment to democracy, because most of its groups have an authoritarian internal structure, and because of inherent tensions among its varied ethnic groups and ideologies.

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[3] Sciolino, Elaine. "Greater U.S. Effort Backed To Oust Iraqi." *New York Times*, June 2, 1992.

[4] The Iraqi National Congress and the International Community. Document provided by INC representatives, February 1993.

The Kurds/KDP and PUK. In committing to the concept of federalism, the INC platform assured the Kurds substantial autonomy within a post-Saddam Iraq, although some fear the Kurds would seek outright independence. Turkey, which has a sizable Kurdish population in the areas bordering northern Iraq, particularly fears that independence for Iraq's Kurds would likely touch off an effort to unify into a broader "Kurdistan." Iraq's Kurds have been fighting intermittently for autonomy since their region was incorporated into the newly formed Iraqi state after World War I. In 1961, the KDP, then led by founder Mullah Mustafa Barzani, Masud Barzani's father, began an insurgency that has continued until today, although interrupted by periods of autonomy negotiations with Baghdad. Masud Barzani's brother, Idris, commanded Kurdish forces against Iraq during the Iran-Iraq war but was killed in that war. The PUK split off from the KDP in 1961; the PUK's members are generally more educated, urbane, and left-leaning than those of the KDP. Together, the PUK and KDP have about 35,000-50,000 fighters. A small Kurdish Islamic faction, the Islamic Movement of Iraqi Kurdistan (IMIK), is headed by Shaykh Ali Abd-al Aziz. Based in Halabja, Iraq, the IMIK has publicized the effects of Baghdad's March 1988 chemical attack on that city, and it allied with the PUK in 1998.

A radical faction of the IMIK split off in 1998, calling itself the Jund al-Islam (Army of Islam) and, later, the Ansar al-Islam (Partisans of Islam). This faction, led by Mullah Krekar (who was detained in Europe in August 2002 and now lives in Norway), reportedly is associated with Al Qaeda and has hosted in its northern Iraq enclave Al Qaeda fighters who fled the U.S.-led war in Afghanistan. The leader of the Arab contingent within Ansar al-Islam is said by U.S. officials to be Abu Musab Zarqawi, an Arab of Jordanian origin who reputedly fought in Afghanistan. Zarqawi has been linked to Al Qaeda plots in Jordan during the millenium celebration, as well as to recent attempts to spread the biological agent Ricin in London and possibly other places in Europe. There are about 8,000 in the Ansar al-Islam enclave, located near the town of Khurmal, including about 600 fighters.[5] Mullah Krekar reportedly studied under Shaykh Abdullah al-Azzam, an Islamic theologian of Palestinian origin who was the spiritual mentor of Osama bin Laden. Fighters of Ansar al-Islam clashed with the PUK around Halabja in early December 2002. In his presentation before the U.N. Security Council on February 5, 2003, Secretary of State Powell tied Zarqawi and Ansar al-Islam to the Iraqi regime, although many experts believe those links are tenuous or even non-existent.

SCIRI. Several outside experts had concerns about the alliance between Iran and another INC component, the Iraqi Shiite Islamic fundamentalist group called the Supreme Council for the Islamic Revolution in Iraq (SCIRI). SCIRI was set up in 1982 to increase Iranian control over Shiite opposition groups in Iraq and the Persian Gulf states. Its leader, Ayatollah Muhammad Baqr al-Hakim, was the late Ayatollah Khomeini's choice to head an Islamic Republic of Iraq. Hakim and his family, most notably his brother Abd al-Aziz, were leaders of the Da'wa (Islamic Call) Party, which allegedly was responsible for a May 1985 attempted assassination of the Amir of Kuwait and the December 1983 attacks on the U.S. and French embassies in

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[5] Chivers, C.J. Repulsing Attack By Islamic Militants, "Iraqi Kurds Tell of Atrocities." *New York Times*, December 6, 2002.

Kuwait. Members of the Hizballah organization in Lebanon that held U.S. hostages in that country during the 1980s often linked release of the Americans to the release of 17 Da'wa Party prisoners held by Kuwait for those offenses. The Da'wa Party was founded in the 1960s by an Iraqi Shiite cleric, Ayatollah Mohammad Baqr Al Sadr, a like-minded associate of Ayatollah Khomeini. Khomeini was in exile in southern Iraq during 1964-1978. Baqr Al Sadr was hung by the Iraqi regime in 1980 for the Da'wa's alleged responsibility in fomenting Shiite anti-regime unrest following Iran's 1979 Islamic revolution.

SCIRI has about 5,000 fighters organized into a "Badr Corps" (named after a major battle in early Islam) that conducts forays from Iran into southern Iraq to attack the Iraqi military and officials there. Although Iran has improved relations with Iraq over the past few years, Iran's Revolutionary Guard – which is politically aligned with Iran's hard line civilian officials – reportedly continues to provide the Badr Corps with weapons and other assistance. However, many Iraqi Shiites view SCIRI as an Iranian creation and SCIRI/Badr Corps operations in southern Iraq have not been known to spark broad popular unrest against the Iraqi regime. SCIRI has periodically distanced itself from the INC. Until August 2002 when Abd al-Aziz al-Hakim joined other opposition figures for meetings in Washington, it had publicly refused to work openly with the United States or accept U.S. assistance. Press reports in late 2002 said that factions in Iran differ over whether SCIRI should be cooperating with the United States and that some Iranian factions are supporting rival Shiite Islamist groups less inclined to work with Washington.

The Fragmentation of the Opposition

The differences within the INC led to its near collapse in the mid 1990s. In May 1994, the KDP and the PUK began clashing with each other over territory, customs revenues levied at border with Turkey, and control over the Kurdish enclave's government based in Irbil. The PUK lined up support from Iran while the KDP sought and received countervailing backing from its erstwhile nemeses, the Baghdad government. The infighting contributed to the defeat of an INC offensive against Iraqi troops in March 1995; the KDP pulled out of the offensive at the last minute. Although it was repelled, the offensive did initially overrun some of the less well-trained and poorly motivated Iraqi units on the front lines facing the Kurds. Some INC leaders have pointed to the battle as an indication that the INC could succeed militarily in the future if it were given additional resources and training.

The Iraqi National Accord (INA). The infighting in the INC caused the United States to briefly revisit the "coup strategy" by renewing ties to a separate group, Iraq National Accord (INA).[6] The INA, originally founded in 1990 with Saudi support, consists of military and security defectors who were perceived as having ties to disgruntled officials currently serving within their former organizations. It is headed by Dr. Iyad Alawi, former president of the Iraqi Student Union in Europe and a physician by training. The INA's prospects appeared to brighten in August 1995

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[6] An account of this shift in U.S. strategy is essayed in Hoagland, Jim. "How CIA's Secret War On Saddam Collapsed." *Washington Post*, June 26, 1997.

when Saddam's son-in-law Hussein Kamil al-Majid — architect of Iraq's weapons of mass destruction programs — defected to Jordan, suggesting that Saddam's grip on the military and security services was weakening. Jordan's King Hussein agreed to allow the INA to operate from there. The INA became penetrated by Iraq's intelligence services and, in June 1996, Baghdad dealt it a serious setback by arresting or executing over 100 INA sympathizers in the military. Alawi claims that the INA continues to operate throughout Iraq, and it apparently has rebuilt itself to some extent since the June 1996 arrests. Although it is now cooperating with the INC, there is a history of friction between the two groups; the INA reportedly bombed an INC facility in northern Iraq in October 1995.

Iraq's counteroffensive against the opposition was completed two months later. In late August 1996, the KDP asked Baghdad to provide armed support for its capture of Irbil from the rival PUK. Iraq took advantage of the request to strike against the INC base in Salahuddin, northern Iraq, as well as against remaining INA operatives throughout northern Iraq. In the course of its incursion in the north, Iraq reportedly executed two hundred oppositionists and arrested as many as 2,000 others. The United States evacuated from northern Iraq and eventually resettled in the United States 650 oppositionists, mostly from the INC.

Rebuilding an Opposition Strategy

For the two years following the opposition's 1996 setbacks, the Clinton Administration had little contact with the opposition. In those two years, the INC, INA, and other opposition groups attempted to rebuild their organizations and their ties to each other, although with mixed success. On February 26, 1998, then Secretary of State Madeleine Albright testified to a Senate Appropriations subcommittee that it would be "wrong to create false or unsustainable expectations" about what U.S. support for the opposition could accomplish.

Iraq's obstructions of U.N. weapons of mass destruction (WMD) inspections during 1997-1998 led to growing congressional calls for overthrowing Saddam Hussein. A formal congressional push for a regime change policy began with a FY1998 supplemental appropriation (P.L. 105-174, signed May 1, 1998) that, among other provisions, earmarked $5 million in Economic Support Funds (ESF) for the opposition and $5 million for a Radio Free Iraq, under the direction of Radio Free Europe/Radio Liberty (RFE/RL). The radio service began broadcasting in October 1998, from Prague. Of the ESF, $3 million was devoted to an overt program to coordinate and promote cohesion among the various opposition factions, and to highlighting Iraqi violations of U.N. resolutions. The remaining $2 million was used to translate and publicize documented evidence of alleged Iraqi war crimes; the documents were retrieved from the Kurdish north, placed on 176 CD-ROM diskettes, and translated and analyzed by experts under contract to the U.S. government. In subsequent years, Congress has appropriated funding for the Iraqi opposition and for war crimes issues, as shown in the appendix. Some of the war crimes funding has gone to the opposition-led INDICT (International Campaign to Indict Iraqi War Criminals) organization for publicizing Iraqi war crimes issues.

Iraq Liberation Act

The clearest indication of congressional support for a more active U.S. overthrow effort was encapsulated in another bill introduced in 1998 – the Iraq Liberation Act (ILA, H.R. 4655, P.L. 105-338, signed into law October 31, 1998). The ILA gave the President authority to provide up to $97 million in defense articles (and authorized $2 million in broadcasting funds) to opposition organizations to be designated by the Administration. The Act's passage was widely interpreted as an expression of congressional support for the concept of promoting an insurgency by using U.S. air-power to protect opposition-controlled enclaves. This idea was advocated by INC executive director Ahmad Chalabi and some U.S. experts, such as General Wayne Downing. President Clinton signed the legislation despite reported widespread doubts within the Clinton Administration about the chances of success in promoting an opposition insurgency inside Iraq.

A provision of the ILA states that it should be the policy of the United States to "support efforts" to remove the regime headed by Saddam Hussein. In mid-November 1998, President Clinton publicly articulated that regime change was a component of U.S. policy toward Iraq.

The signing of the ILA and the declaration of the overthrow policy came at the height of the one-year series of crises over U.N. weapons inspections in Iraq, in which inspections were repeatedly halted and restarted after mediation by the United Nations, Russia, and others. On December 15, 1998, U.N. inspectors were withdrawn for the final time, and a three-day U.S. and British bombing campaign against suspected Iraqi WMD facilities followed (Operation Desert Fox, December 160-19, 1998). (For information on these crises, see CRS Issue Brief IB92117, *Iraq: Weapons Threat, Compliance, Sanctions, and U.S. Policy*.)

The First Eligibility Designations Under the ILA. Further steps to promote regime change followed Operation Desert Fox. In January 1999, career diplomat Frank Ricciardone was named as the State Department's "Coordinator for the Transition in Iraq," – the chief liaison with the opposition. On February 5, 1999, after consultations with Congress, the President issued a determination (P.D. 99-13) that the following organizations would be eligible to receive U.S. military assistance under the Iraq Liberation Act: the INC; the INA; SCIRI; the KDP; the PUK; the Islamic Movement of Iraqi Kurdistan (IMIK); and the Movement for Constitutional Monarchy (MCM), which is led by Sharif Ali bin al-Hussein, a relative of the Hashemite monarchs that ruled Iraq from the end of World War I until 1958. The IMIK and the MCM, in particular, are considered small movements that cannot contribute much to an overthrow effort.

In May 1999, in concert with an INC visit to Washington, the Clinton Administration announced it would draw down $5 million worth of training and "non-lethal" defense equipment under the ILA. In late 1999, three opposition members began civil administration training at Hurlburt air base in Florida and, in June 2000, the Clinton Administration announced that another 145 oppositionists would undergo similar training. The Defense Department-run courses provided civil affairs training, including instruction in field medicine, logistics, computers, communications, broadcasting, power generation, and war crimes issues. However,

the Clinton Administration asserted that the opposition was not sufficiently organized to merit U.S. provision of lethal military equipment or combat training. This restriction reflected divisions within and outside the Clinton Administration over the effectiveness and viability of the opposition, and over the potential for the United States to become militarily embroiled in civil conflict in Iraq.

Continued Debate Over Policy

During 1999-2000, U.S. efforts to rebuild and fund the opposition did not end the debate within the Clinton Administration over the regime change component of Iraq policy. In hearings and statements, several Members of both parties expressed disappointment with the Clinton Administration's decision not to give the opposition lethal military aid or combat training. Many took those decisions as an indication that the Clinton Administration was skeptical that a renewed overthrow effort would fare better than previous such attempts. Most of those who argued against increased U.S. support for the opposition maintained that the Iraqi opposition would not succeed unless backed by direct U.S. military involvement, and that direct U.S. military action was risky and not justified by the threat posed by Iraq. Some observers maintained that the potential threat from Saddam Hussein's regime was sufficiently grave that direct U.S. military action should be taken. Other critics suggested the United States focus instead on rebuilding containment of Iraq by obtaining re-entry into Iraq of the U.N. weapons of mass destruction inspectors that had been absent from Iraq since December 15, 1998.

As a reflection of continued congressional support for the overthrow effort, a provision of the FY2001 foreign aid appropriation (H.R. 4811, P.L. 106-429, signed November 6, 2000) earmarked $25 million in ESF for "programs benefitting the Iraqi people," of which at least: $12 million was for the INC to distribute humanitarian aid inside Iraq; $6 million was for INC broadcasting; and $2 million was for war crimes issues. According to the appropriation the remaining $5 million could be used to aid the seven groups eligible to receive assistance under the ILA. Taking note of congressional sentiment for INC distribution of aid inside Iraq, on September 29, 2000 the Clinton Administration reached agreement with the INC to provide the organization with $4 million in FY1999 ESF (one half the total earmark available) to develop an aid distribution plan and to gather information in Iraq on Iraqi war crimes. Three days before it left office, the Clinton Administration issued a required report to Congress that noted that any INC effort to distribute aid in areas of Iraq under Baghdad's control would be fraught with security risks to the INC, to Iraqi recipients of such aid, and to any relief distributors with which the INC contracts.[7]

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[7] U.S. Department of State. *Washington File*. "Clinton Sends Report on Iraq to Congress." January 17, 2001.

Bush Administration Policy

Bush Administration policy toward Iraq changed after the September 11 terrorist attacks, even though little or no hard evidence linking Iraq to those attacks has come to light. The shift toward a more assertive policy first became clear in President Bush's State of the Union message on January 29, 2002, when he characterized Iraq as part of an "axis of evil," along with Iran and North Korea.

Pre-September 11 Policy

Throughout most of its first year, the Bush Administration continued the basic elements of Clinton Administration policy on Iraq. With no immediate consensus within the new Administration on how forcefully to proceed with an overthrow strategy, Secretary of State Powell focused on strengthening containment of Iraq, which the Bush Administration said had eroded substantially in the year prior to its taking office. Secretary Powell visited the Middle East in February 2001 to enlist regional support for a so-called "smart sanctions" plan – a modification of the U.N. sanctions regime to ensure that no weapons-related technology reaches Iraq. His plan offered to alter the U.N.-sponsored "oil-for-food" program by relaxing U.N. restrictions on exports to Iraq of civilian equipment and needed non-military technology.[8] The United States asserted that this step would alleviate the suffering of the Iraqi people. Powell, who has sometimes openly expressed skepticism about the opposition's prospects, barely raised the regime change issue during his trip or in his March 7, 2001 testimony before the House International Relations Committee, at which he was questioned about Iraq.[9] After about a year of negotiations among the Security Council permanent members, the major feature of the smart sanctions plan – new procedures that virtually eliminate U.N. review of civilian exports to Iraq – was adopted on May 14, 2002 (U.N. Security Council Resolution 1409).

Even though several senior officials had been strong advocates of a regime change policy, many of the questions about the wisdom and difficulty of that strategy that had faced previous administrations were debated early in the Bush Administration.[10] Aside from restating the U.S. policy of regime change, the Bush Administration said and did little to promote that outcome throughout most of its first year. During his confirmation hearings as Deputy Secretary of Defense, a reported strong advocate of overthrow, Paul Wolfowitz, said that if there were a real option to overthrow Saddam Hussein, "I would think it was worthwhile," although he also stated that he did not yet see a "plausible plan" for changing the regime. Like its predecessor, the Bush Administration declined to provide the opposition with lethal aid, combat training, or a commitment of direct U.S. military help. It eliminated the separate State Department position of "Coordinator for the Transition in Iraq,"

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[8] For more information on this program, see CRS Report RL30472, *Iraq: Oil For Food Program.*

[9] Perlez, Jane. "Powell Goes on the Road and Scores Some Points." *New York Times*, March 2, 2001.

[10] One account of Bush Administration internal debates on the strategy is found in, Hersh, Seymour. "The Debate Within." *The New Yorker*, March 11, 2002.

further casting doubt on its enthusiasm for the overthrow strategy. On February 2, 2001, the Bush Administration confirmed that, shortly after President Bush took office, the Treasury Department's Office of Foreign Assets Control (OFAC) granted the INC a license to proceed with only the information gathering portion of the humanitarian aid distribution plan, thereby withholding U.S. backing for the INC plan to rebuild its presence inside Iraq.

Many in Congress, on the other hand, continue to support the INC as the primary vehicle for achieving regime change. Partly in deference to congressional sentiment, according to several observers, the Bush Administration continued to expand its ties to the INC despite doubts about its capabilities. In August 2001, the INC began satellite television broadcasts into Iraq, from London, called Liberty TV. The station was funded by the ESF aid appropriated by Congress, with start-up costs of $1 million and an estimated additional $2.7 million per year in operating costs.[11]

Policy Post-September 11

Bush Administration policy toward Iraq became notably more assertive after September 11, stressing regime change far more than containment. Almost immediately after the U.S.-led war on the Taliban and Al Qaeda in Afghanistan began in early October 2001, speculation began building that the Administration might try to change Iraq's regime through direct use of military force as part of a "phase two" of the war on terrorism.

Iraq and Al Qaeda. Some in the Administration do not discount the possibility that Iraq might have had a connection to the September 11 attacks or the subsequent anthrax mailings, although that does not appear to be a mainstream view in the Administration. Senior U.S. officials said in September 2002, and again in January and February 2003, that there is evidence of Iraqi linkages to Al Qaeda, although some observers have expressed skepticism about such connections because of the ideological differences between Saddam Hussein's secular regime and Al Qaeda's Islamist character. Secretary of States Powell, as noted above, has pointed to intelligence information that Ansar al-Islam (see above for the origins of the group) has links to the Iraqi government.[12] Senior officials also have cited intelligence information that Iraq has provided advice and training to Al Qaeda in the manufacture and use of chemical weapons, although Administration information appears to date to the early 1990s when Iraq was politically close to Sudan; bin Laden and Al Qaeda was based in Sudan during that time (1991-1996).

On the other hand, Baghdad does not control Northern Iraq and some U.S. officials have played down this theory.[13] Others note that Al Qaeda founder Osama bin Laden sought to raise an Islamic army to fight Saddam's invasion of Kuwait in 1990, arguing against the need for U.S. troops, and that he is more an enemy of

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[11] Sipress, Alan. "U.S. Funds Satellite TV to Iraq." *Washington Post*, August 16, 2001.

[12] Goldberg, Jeffrey. "The Great Terror." The *New Yorker*, March 25, 2002.

[13] "U.S. Uncertain About Northern Iraq Group's Link to Al Qaida." *Dow Jones Newswire*, March 18, 2002.

Saddam than a friend. In the Administration view, the two share similar anti-U.S. goals, which might outweigh ideological differences and propel them into tactical or strategic cooperation.

WMD Threat Perception. Other U.S. officials maintain that Iraq's purported commitment to developing WMD – coupled with its support for terrorist groups to which Iraq might transfer WMD – constitute an unacceptable potential threat to the United States and that major U.S. military action is justified if Iraq refuses to disarm voluntarily. This view was represented in President Bush's January 29, 2002 State of the Union message, in which he named Iraq, along with North Korea and Iran, as part of an "axis of evil" against which, according to the President, the United States might act preemptively. In making a case for possible military action, senior U.S. officials have asserted a WMD threat as follows:

- Iraq has worked to rebuild its WMD programs in the nearly 4 years since U.N. weapons inspectors left Iraq and has been unresponsive to 17 U.N. resolutions, including Resolution 1441 (November 8, 2002), calling for its complete elimination of all WMD programs. In a presentation to the U.N. Security Council on February 5, 2003, Secretary of State Powell presented intelligence information that Iraq has sought to deceive the new U.N. inspections body by concealing chemical and biological weapons and production facilities, and by importing equipment for a nuclear program as well as banned missile programs. However, recent statements by International Atomic Energy Agency (IAEA) officials indicate they believe Iraq has not made substantial progress toward achieving a nuclear weapons capability, and some maintain that the intelligence information presented by Powell is open to a number of interpretations and is best verified by inspections.

- Iraq has used chemical weapons against its own people (the Kurds) and against Iraq's neighbors (Iran). The implication of this assertion is that Iraq would not necessarily be deterred from using WMD against the United States or its allies. Others note that Iraq has not used such weapons against adversaries, such as the United States, that have the capability of destroying Iraq's government in retaliation. Under the U.S. threat of massive retaliation, Iraq did not use WMD against U.S. troops in the 1991 Gulf war. On the other hand, Iraq defied U.S. warnings and did burn Kuwait's oil fields. Some believe that Saddam Hussein, faced with the prospect of defeat and removal from office, might unleash Iraq's WMD capabilities against U.S. forces or against Israel as a desperate measure.

- Iraq could transfer its WMD to terrorists such as Al Qaeda who could use these weapons to cause hundreds of thousands of deaths in the United States or elsewhere. Critics of the Administration cite presentations by CIA Director Tenet to Congress in late 2002, stating the CIA view that Iraq is likely to use WMD or transfer WMD to terrorists if the United States were to attack Iraq. At that

point, Saddam Hussein would be left with little incentive to hold back the use of this weaponry.

Regime Change Scenarios. To counter what it sees as an unacceptable threat from Iraq, the Administration is demanding complete disarmament by Iraq under Resolution 1441. The Administration has somewhat downplayed the goal of regime change since President Bush's September 12, 2002 speech before the United Nations General Assembly, in which he focused on enforcing U.N. resolutions that require Iraqi disarmament. However, the more active Administration engagement with the opposition since mid-2002 suggests that the Administration is working actively toward the regime change goal, whether or not there is major military action against Iraq. In the Administration view, a friendly government in Baghdad is required if the international community is to rid Iraq of WMD.

Since mid-2002, the Administration has tried to broaden the Iraqi opposition and build up its capabilities. In particular, the Administration has been expanding its ties to Shiite Islamist groups and to groups composed of ex-military and security officers, as well as to some ethnic-based groups. Some view the outreach to non-INC figures, particularly ex-military officers, as a signal that the Bush Administration might be considering returning to the "coup strategy" pursued on several occasions in previous administrations. The groups and individuals with which the Bush Administration has had increasing contact with include the following:

- Iraqi National Movement. It formed in 2001 as an offshoot of the INC. Its leaders include ex-senior military officer Hassan al-Naqib (who was part of an early leadership body of the INC); Hatim Mukhlis, who claims support of some in Saddam's Tikriti clan; and ex-senior military officer Khalid al-Ubaydi.

- Iraqi National Front. Another grouping of ex-military officers, founded in March 2000 by Tawfiq al-Yasseri. Yasseri, a Shiite Muslim ex-military officer, headed Iraq's military academy and participated and was wounded in the anti-Saddam uprisings immediately following the 1991 Gulf war.

- Iraqi Free Officers and Civilians Movement. Established in 1996 by ex-military officer Najib al-Salhi. This group works closely with the INC. Salhi defected in 1995 after serving as commander of several tank units in the Republican Guard and regular military.

- Higher Council for National Salvation. Based in Denmark, it was formally established on August 1, 2002. It is headed by Wafiq al-Samarra'i, a former head of Iraqi military intelligence. Ex-chief of staff of Iraq's military (1980-1991) Nizar al-Khazraji, who is based in Denmark since fleeing Iraq in 1996, may also be a member. (Khazraji was placed under house arrest by Danish officials in late November 2002 after saying he wanted to leave Denmark. He is under investigation there for alleged involvement in Iraq's use of chemical weapons against the Kurds in 1988.)

- Iraqi Turkmen Front. A small, ethnic Turkomen-based grouping, generally considered aligned with Turkish policy on Iraq. Turkomens number about 350,000 and live mainly in northern Iraq.

- The Islamic Accord of Iraq. Based in Damascus, this is another Shiite Islamic Party, but it is considered substantially less pro-Iranian than SCIRI or the Da'wa Party (see above), other Shiite Islamic parties with which the Administration has had contact. The Islamic Accord is headed by Jamil Wakil. Many Accord members are followers of Ayatollah Shirazi, an Iranian cleric who was the spiritual leader of a group called the Islamic Front for the Liberation of Bahrain (IFLB), which allegedly attempted to overthrow the government of Bahrain in the early 1980s.

- The Assyrian Democratic Movement, an ethnic-based movement headed by Secretary-General Yonadam Yousif Kanna. Iraq's Assyrian community is based primarily in northern Iraq. There is a strong diaspora presence in the United States as well. After building ties to this group over the past year, the Bush Administration formally began incorporating the Assyrian Democratic Movement into its meetings with the Iraqi opposition in September 2002.

On December 9, 2002, the Bush Administration named six of the above factions (all except the Higher Council for National Salvation) as "democratic opposition organizations" eligible to receive drawdowns under the ILA. The Bush Administration has applauded recent efforts by these groups to hold meetings to coordinate with each other and with the INC and other groups. One such meeting, in July 2002 in London and jointly run with the INC, attracted over 70 ex-military officers.

Some believe the United States might use these groups to pursue covert overthrow options independent of any decision to use military force against Iraq and whether or not Iraq fully implements what is required of it under Resolution 1441. On June 16, 2002, the *Washington Post* reported that, in early 2002, President Bush authorized stepped up covert activities by the CIA and special operations forces to destabilize Saddam Hussein. In early August 2002, the State and Defense Departments jointly invited six major opposition groups – the INC, the INA, the KDP, the PUK, SCIRI, and the MCM – to Washington for meetings with senior officials, including a video link to Vice President Cheney. The meetings were held to show unity within the opposition and among different agencies of the U.S. government, which have tended to favor different opposition groups. In advance of the visit, the Defense Department agreed to fund the information gathering portion of the INC's activities; the State Department had refused to fund those activities, which are conducted inside Iraq, because of strains between the INC and other opposition groups and questions about INC use of U.S. funds.

On December 9, 2002, President Bush issued a determination to draw down the remaining $92 million in defense articles and services authorized under the Iraq Liberation Act for the INA, the INC, the KDP, the PUK, SCIRI, and the MCM "and to such other Iraqi opposition groups designated by me under the Act before or after

this determination." This latter phrase suggested that some of the draw downs might go to the six groups designated - also on December 9 - as eligible to receive ILA draw downs (see above). The announcement appeared to be part of reported plan to train about 5,000 oppositionists in tasks that could assist U.S. forces, possibly including combat units.[14] An initial group of 1,000 reportedly has been selected, and some or all of this group is undergoing training in Hungary, according to press reports.[15] Very few observers within or outside the Administration believe that military or covert action by the opposition alone will bring about a change of regime, considering Saddam Hussein's strong grip on the military, the security service, and Iraq's ruling Ba'th Party.

During December 14-17, 2002, with U.S. officials attending, major Iraqi opposition groups will hold a conference in London; it had been postponed several times and had trouble finding a venue. In advance of the meeting, the Bush Administration appointed NSC official Zalmay Khalilzad to be a liaison to the Iraqi opposition. The conference was organized by the same six groups whose leaders visited Washington in August 2002 but included other groups as well and discussed whether the opposition should declare a provisional government. The Administration reportedly opposes that step on the grounds that it is premature and would give the impression that outside powers are determining Iraq's political structure. The meeting ended with agreement to form a 65-member follow-up committee, which some criticized as weighted heavily toward Shiite Islamist groups such as SCIRI. The committee discussed meeting in mid-January 2003 in northern Iraq, but disagreements among the various groups reportedly caused a postponement. It is now scheduled for February 19 or 20, and INC leader Ahmad Chalabi is now in Iran planning for that meeting. Iran has said it would allow Iraqi oppositionists to cross from Iran into northern Iraq to hold that session.

Military Options. Should Iraq fail to disarm, there are more assertive scenarios for the use of the U.S. military to achieve regime change. These possibilities, in broad outlines, include the following:

- "Special Forces" Model. Several press reports indicate that some in the Administration believe that the military operations that brought down the Taliban in Afghanistan could easily be replicated in Iraq to depose Saddam Hussein.[16] According to most versions of this scenario, U.S. special operations forces would work overtly with the Iraqi opposition to seize territory in Iraq and precipitate the downfall of the regime. Critics of this approach maintain that the Iraqi military (about 400,000 personnel, or ten times the size of that of the Taliban in Afghanistan) is too large to give this scenario a good chance of success.

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[14] Deyoung, Karen, and Daniel Williams. "Training of Iraqi Exiles Authorized." *Washington Post*, October 19, 2002.

[15] Williams, Daniel. U.S. Army to Train 1,000 Iraqi Exiles. *Washington Post*, December 18, 2002.

[16] Slavin, Barbara. "U.S. Examining Options to Deal With Hussein." *USA Today*, February 12, 2002.

- Major Offensive. Press accounts indicate that most U.S. military planners believe that the overthrow of Saddam Hussein by the U.S. military, while achievable, would require a major U.S. military effort. Press reports say senior military officers believe a force of 250,000 or more U.S. troops would be needed to ensure success and to minimize U.S. casualties. It appears that the U.S. military buildup in the region, now underway, might reach that 250,000 level by late February 2003, based primarily in Kuwait, offshore, and to a lesser extent in Turkey. However, the outlines of the U.S. battle plan has not been made public, and it is not known if a U.S. attack would involve all forces deployed.

- Smaller Offensive. Press accounts indicate that some U.S. battle plans might involve the active participation of a smaller force of about 80,000-100,000, backed by air power and dedicated to a quick strike against key Iraqi command centers. Some senior military officials, reportedly including commander of U.S. Central Command Gen. Tommy Franks, are said to be concerned that this plan could lead to a substantial amount of urban warfare, in which some U.S. military advantages would be reduced and U.S. casualties could be high.

A major issue in the debate over any military plan appears to be over whether Iraq's military would quickly unravel or rebel against Saddam Hussein in the face of U.S. military action or whether it would fight hard to defend the regime. Some maintain that Iraqi forces would likely defect or surrender in large numbers, as happened in the 1991 Gulf war, when faced with a militarily superior force. Others contrast the current situation with the 1991 war and argue that Iraqi forces would hold together and fight fiercely because they are defending Iraq itself, not an occupation of Kuwait. Some believe the Iraqi military would quickly retreat into urban areas and hope to inflict large numbers of casualties on American forces. (For further discussion of the pros and cons of military action against Iraq, see CRS Report RS21325, *Iraq: Divergent Views on Military Action*.)

Containment/Deterrence. Some analysis suggests that the Administration might ultimately decide not to use military force to change Iraq's regime or reduce its WMD capabilities, although President Bush said in January 2003 that containment has not worked on Iraq. Some Members of Congress, some outside experts, and reportedly many senior military leaders believe Iraq is currently well contained by sanctions and the U.S./British enforced no-fly zones and that, as long as Iraq continues to allow access to U.N. weapons inspections under Resolution 1441, Iraq cannot pose an immediate threat to U.S. national security. Inspections resumed on November 27, 2002, and have encountered few, if any, Iraqi obstructions in about 600 inspections of about 400 different sites, as of February 2003. Others believe that, even if Iraq were to acquire major new WMD capabilities, it could be deterred by U.S. overall strategic superiority, presumably including the U.S. nuclear arsenal.

Although judging Iraq in non-compliance with an in further material breach of its disarmament obligations, the Administration has said in early February 2003 that

war might still be avoided if Iraq dramatically improves its cooperation and voluntarily disarms. The possibility of war will likely become clearer following another briefing to the U.N. Security Council by the director of the U.N. inspection body UNMOVIC (U.N. Monitoring, Verification, and Inspection Commission) Hans Blix and the director of the International Atomic Energy Agency (IAEA) on February 14, 2003. The first briefing, which was held January 27, 2003, and covered the first two months of new inspections, was generally critical of Iraq for failing to pro-actively cooperate to clear up outstanding questions about Iraq's WMD program. The February 14, 2003 briefing follows a February 8-9 visit to Iraq by Blix and Baradei in which the two reported progress on some aspects of their mission and an apparent lack of movement on others.

Post-War Issues

Another major issue is that of the character of the regime that would replace the current one. The same U.S. concerns about fragmentation of and instability in Iraq that existed in prior years are present in the current debate over regime change. Some observers believe that, in exchange for not acting militarily against Iraq, the Bush Administration would accept a replacement of Saddam Hussein by a military or Ba'th Party figure who is not necessarily committed to democracy but would comply with applicable U.N. resolutions. The Bush Administration has not said how it might react if Saddam were to try to resolve the crisis by ceding power to one of his sons or longtime associates on the Revolutionary Command Council (RCC). (The RCC, chaired by Saddam, is Iraq's highest governing body.) Over the past 3 years, Saddam has given his younger son Qusay increasing authority over key security bodies and he has been rising in the Ba'th Party structure as well. Saddam's elder son Uday controls some media organs but is considered hot-headed and impulsive. Other candidates for succession include Vice Chairman of the RCC Izzat Ibrahim and first Vice President Taha Yasin Ramadan.

The Administration is planning for a post-Saddam regime. The Administration asserts that, if it takes military action and ousts the government of Saddam Hussein, it will do what is necessary to bring about a stable, democratic successor regime that complies with all applicable U.N. resolutions. Some press reports say that the Administration is planning for an approximately 18-month occupation of Iraq led primarily by U.S. military officials, working in concert with Iraqis to build a democratic post-war Iraq.[17] The Iraqi opposition, even those groups most closely associated with the United States, opposes a major role for U.S. officials in running a post-war Iraqi government, asserting that Iraqis are sufficiently competent and unified to rebuild Iraq after a war with the United States.

As part of the post-war planning process, the U.S. State Department is running a $5 million "Future of Iraq" project in which Iraqi exiles are meeting in working groups to address issues that will confront a successor government. The working groups in phase one of the project have discussed (1) transitional justice; (2) public finance; (3) public and media outreach; (4) democratic principles; (5) water,

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[17] Sanger, David and James Dao. U.S. Is Completing Plan to Promote a Democratic Iraq. *New York Times*, January 6, 2002.

agriculture, and the environment; (6) health and human services; and (7) economy and infrastructure. Phase two, which reportedly will begin soon, includes working groups on (1) education; (2) refugees, internally-displaced persons, and migration policy; (3) foreign and national security policy; (4) defense institutions and policy; (5) free media; (6) civil society capacity-building; (7) anti-corruption measures; and (8) oil and energy.

War Crimes. An issue related to regime change but somewhat separate is whether Saddam Hussein and his associates should be prosecuted for war crimes and, if so, whether that should be pursued while Saddam is still in power. The Administration reportedly has decided that, if there is U.S. military action that overthrows Saddam, that he and his inner circle would be tried in Iraq. The Administration is gathering data for a potential trial of Saddam and 12 of his associates. Those reportedly to be sought for trial include Saddam; his two sons Uday and Qusay; Ali Hassan al-Majid, for alleged use of chemicals against the Kurds; Muhammad Hamza al-Zubaydi; Taha Yasin Ramadan; first Vice President and number three in the regime; Izzat Ibrahim, Vice Chairman of the Revolutionary Command Council and formally number two in the regime; Barzan al-Tikriti, Saddam's half brother; Watban al-Tikriti and Sabawi al-Tikriti, both other half brothers of Saddam and former leaders of regime intelligence bureaus; Tariq Aziz, deputy Prime Minister and foremost regime spokesman; and Aziz Salih Noman, governor of Kuwait during Iraq's occupation of that country.

The war crimes issue has been addressed by previous U.S. administrations and the international community. U.N. Security Council Resolution 674 (October 29, 1990) calls on all states or organizations to provide information on Iraq's war-related atrocities to the United Nations. The Foreign Relations Authorization Act for FY1992 (P.L. 102-138, October 28, 1991, Section 301) stated the sense of Congress that the President should propose to the U.N. Security Council a war crimes tribunal for Saddam Hussein. Similar legislation was later passed, including H.Con.Res. 137 (passed the House November 13, 1997); S.Con.Res. 78 (passed the Senate March 13, 1998); and a provision of the Iraq Liberation Act (P.L. 105-338, signed October 31, 1998).

A U.S. Army report on possible war crimes was released on March 19, 1993, after Clinton took office. Since April 1997, the Administration has supported INDICT, a private organization that publicizes alleged Iraqi war crimes and seeks the arrest of 12 alleged Iraqi war criminals, including Saddam and his two sons. Although apparently lacking international support, in August 2000 then U.S. Ambassador-At-Large for War Crimes David Scheffer said that the United States wanted to see an Iraq war crimes tribunal established, focusing on "nine major criminal episodes." These include the use of chemical weapons against Kurdish civilians at Halabja (March 16, 1988, killing 5,000 Kurds) and the forced relocation of Kurds in the "Anfal" campaign (February 1988, in which an estimated 50,000 to 182,000 Kurds died); the use of chemical weapons against Iran; post-war crimes against humanity (the Kurds and the Marsh Arabs); war crimes against Kuwait (including oil field fires) and coalition forces; and other allegations. In FY2001 and again in FY2002, the State Department contributed $4 million to a U.N. "Iraq War Crimes Commission," to be spent if a U.N. tribunal for Iraq war crimes is formed.

Congressional Reactions

Congress, like the Administration, appears to have divergent views on the mechanisms for promoting regime change, although there appears to be widespread agreement in Congress that regime change is desirable and an appropriate U.S. policy. However, there is substantial disagreement over whether a major military offensive is the most desirable option for achieving that objective. On December 20, 2001, the House passed H.J.Res. 75, by a vote of 392-12, calling Iraq's refusal to readmit U.N. weapons inspectors a "mounting threat" to the United States. The resolution did not call for new U.S. steps to overthrow Saddam Hussein but a few Members called for the overthrow of Saddam Hussein in their floor statements in support of the resolution.

In early 2002, prior to the intensified speculation about possible war with Iraq, some Members expressed support for increased aid to the opposition. In a joint appearance with Senate Foreign Relations Committee Chairman Joseph Biden on Cable News Network on February 17, 2002, House International Relations Committee Chairman Henry Hyde said that "...supporting the underground, the opposition, the internal opposition, is to me the procedure of choice. That is an option that is being worked on. All of these options are under consideration." In early December 2001, a bipartisan group of nine Members – Senators John McCain, Jesse Helms, Richard Shelby, Sam Brownback, Joseph Lieberman, and Trent Lott and Representatives Henry Hyde, Benjamin Gilman, and Harold Ford Jr. – wrote to President Bush to urge that U.S. assistance be provided to the INC for operations inside Iraq itself. According to the letter,

> Despite the express wishes of the Congress, the INC has been denied U.S. assistance for any operations inside any part of Iraq, including liberated Kurdish areas. Instead, successive Administrations have funded conferences, offices and other intellectual exercises that have done little more than expose the INC to accusations of being "limousine insurgents" and "armchair guerrillas."

As discussion of potential military action increased in the fall of 2002, Members debated the costs and risks of an all-out U.S. effort to achieve that result. Congress adopted H.J.Res. 114, authorizing the President to use military force against Iraq if he determines that doing so is in the national interest and will enforce U.N. Security Council resolutions on Iraq. The measure passed the House on October 11, 2002 by a vote of 296-133, and the Senate the following day by a vote of 77-23. The legislation was signed into law on October 16, 2002 (P.L. 107-243).

The 108th Congress was sworn in on January 7, 2003. Observers say it is likely to hold hearings on whether military action should be taken against Iraq and, if action is taken, on issues of post-war reconstruction and the effects of a war on the Middle East region as a whole.

Appendix. U.S. Assistance to the Opposition

Appropriated Economic Support Funds (E.S.F.) to the Opposition

(Figures in millions of dollars)

	INC	War Crimes	Broadcasting	Unspecified Opposition Activities	Total
FY 1998 (P.L. 105-174)		2.0	5.0 (RFE/RL)	3.0	10.0
FY 1999 (P.L. 105-277)	3.0	3.0		2.0	8.0
FY 2000 (P.L. 106-113)		2.0		8.0	10.0
FY 2001 (P.L. 106-429)	12.0 (aid distribution inside Iraq)	2.0	6.0 (INC radio)	5.0	25.0
FY 2002 (P.L. 107-115)				25.0	25.0
Total, FY1998- FY 2002	15.0	9.0	11.0	43.0	78.0
FY2003 (request)				25.0	25.0
FY2004 (request)				25.0	25.0

Notes: The figures above do not include defense articles and services provided under the Iraq Liberation Act. During FY1999-FY2000, approximately $5 million worth of services, out of the $97 million authorized by the Act, was obligated to the opposition, and $1 million of that has been spent, as of late December 2002. The figures provided above also do not include any covert aid provided, the amounts of which are not known from open sources. In addition, during each of FY2001 and FY2002, the Administration has donated $4 million to a "U.N. War Crimes Commission" fund, to be used if a war crimes tribunal is formed. Those funds were drawn from U.S. contributions to U.N. programs.