

WebMemo



Published by The Heritage Foundation

No. 1139
June 28, 2006

What Is Needed for Reconciliation in Iraq

James Phillips

On June 27th, Iraqi Prime Minister Nouri al-Maliki emphasized that the new national reconciliation plan he had introduced to parliament two days earlier would not provide amnesty for anyone in Iraq who had killed either Americans or Iraqis in the name of insurgency or terrorism. “This is an international commitment, an ethical commitment: Whoever kills is not included in amnesty,” he said.¹

His strong statements sought to buttress support for the 24-point consensus plan, which had taken weeks to develop and is intended to take the steam out of the Sunni-dominated insurgency and curtail sectarian strife—the greater threat to Iraq’s long-term stability. To its credit, after pressure from the U.S. embassy and hard-line members of Maliki’s Shiite-dominated ruling coalition, the final version does not include a controversial provision advocated by some Sunni Arab leaders that distinguished between terrorism and “national resistance” against a foreign occupation. As Maliki himself acknowledges, “We have people who have confessed to killing 10, 20, 50, sometimes 100 Iraqis or Americans. I think if a general amnesty was announced, it would have a very negative reaction.”²

This political point was not lost on the U.S. government. Ambassador Zalmay Khalilzad remarked that, “To end a war,” he said, “you must balance the requirements of reconciliation with the requirements of justice,” and Maliki appears to be trying to find such a balance.³

Yet the plan remains vague on many points, and the Bush Administration and U.S. diplomats must remain vigilant to ensure that the Iraqi government, which has the final say, does not backslide and grant amnesty to captured insurgents who have spilled American or coalition blood or avoid taking the necessary steps that will allow real reconciliation to occur.

The Elements of Maliki’s Plan

Prime Minister Maliki’s reconciliation plan seeks to reduce insurgent attacks through political dialogue, confidence-building measures, and limited amnesty for “lesser offenses,” which could include minor acts of sabotage or participating in Saddam Hussein’s Baath Party.⁴

However, the “launch of this reconciliation initiative,” he cautioned, “should not be read as a reward for the killers and criminals or acceptance of their actions.” There is no place in the new Iraq, he said, for Islamic extremists or diehard supporters of Saddam Hussein’s regime at the core of the

This paper, in its entirety, can be found at:
www.heritage.org/research/middleeast/wm1139.cfm

Produced by the Douglas and Sarah Allison
Center for Foreign Policy Studies
of the

Kathryn and Shelby Collum Davis
Institute for International Studies

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002-4999
(202) 546-4400 • heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

insurgency. A government pardon, which Sunni Arab leaders had requested for “resistance” fighters, would apply only to those detainees who “were not involved in criminal or terrorist activities.”⁵

Maliki toned down the plan under pressure from leaders of his United Iraqi Alliance (UIA) coalition—particularly from the largest party in the coalition, the Supreme Council for the Islamic Revolution in Iraq, which has taken a harder line against compromise with Sunni insurgents. When the UIA, including Maliki’s own Dawa Party, met last Saturday night to hammer out the plan’s final details, they restricted the offer of amnesty to insurgents who were not involved in terrorist attacks or crimes against humanity and are willing to renounce violence, pledge adherence to the rule of law, and pledge support for the elected government.

One of the controversial deleted clauses had distinguished “national resistance” forces from “terrorists.” Others contained explicit language calling for the abolition of militias and “death squads” and a call for an explicit timetable for American withdrawal based on security conditions inside Iraq.

The document that emerged is vague on many points due to the intense bargaining to reach consensus positions. Yet the plan does outline steps to disarm militias and strengthen Iraqi security forces as foreign troops are gradually withdrawn. (When Maliki took power last month, he pledged that Iraqi forces would take control of the security situation from the U.S.-led coalition within 18 months.)

The reconciliation plan also calls for:

- The creation of a commission to oversee reconciliation, with branches in all of Iraq’s provinces;

- Banning human rights violations, improving prison conditions, and punishing those responsible for torture;
- Reforming the deBaathification program to make it accountable to the judicial system and reviewing the cases of some Baath Party members who were forced out of public life after 2003;
- Making the armed forces independent of political parties and banning the army from interfering in politics; and
- Requiring legal warrants to be issued before army and police raids.⁶

The plan provides a rough outline of what must happen to end political violence in Iraq. It sets in motion a protracted negotiating process between the government and various insurgent factions. Reconciliation must be an Iraqi process, led by Iraqis. But the United States must remain involved to ensure that the reconciliation talks and the reconciliation process lead to improved security.

What Reconciliation Requires

There are four requirements that should be part of any successful reconciliation process:

1. Insurgents must lay down their arms, respect the rule of law, and pledge to support the elected government;
2. Militias must eventually be disarmed or folded into the Iraqi army;
3. Terrorists and war criminals, including loyal members of Saddam’s former regime, must be brought to justice and not allowed to enter politics as a political force; and
4. The lives and safety of U.S. servicemen and other coalition members should not be put at risk.

1. Joshua Partlow and Bassam Sebt, “Amnesty to Exclude Killers of GIs, Iraqis,” *The Washington Post*, June 28, 2006, p. A14.
2. Parlow and Sebt, “Amnesty to Exclude Killers of GIs, Iraqis,” *op. cit.*
3. David Ignatius, “A Road Map Home: From Khalilzad, Realism on the Iraqi Insurgency,” *The Washington Post*, June 28, 2006, p. A25.
4. *Ibid.*
5. Paul Reynolds, “Iraq Plan Part of Grand Strategy,” BBC News website, June 25, 2006, at: http://news.bbc.co.uk/1/low/world/middle_east/5115064.stm.
6. For a summary of the reconciliation plan, see: Main Points of Iraq’s Peace Plan, BBC News website at: http://news.bbc.co.uk/1/low/world/middle_east/5114932.stm.

The U.S. government must closely monitor the ongoing reconciliation process to ensure these goals are met and the sacrifices made by U.S. servicemen in Iraq are not dishonored by ill-considered attempts to appease those they battled to bring freedom to Iraq.

James Phillips is Research Fellow in Middle Eastern Studies in the Douglas and Sarah Allison Center for Foreign Policy Studies, a division of the Kathryn and Shelby Cullom Davis Institute for International Studies, at The Heritage Foundation.