

Memorandum to the Supreme Preparatory Committee for the National Conference

Baghdad, 14 July 2004 — English translation

The idea of convening the National Conference was associated with the efforts made by Ambassador Lakhdar Brahimi, the UN secretary-general's representative, to implement the Security Council's resolutions on Iraq, particularly in respect of the transfer of sovereignty to an Iraqi government.

Those discussions concluded with the handover of power to Dr. Iyad Allawi's government on 28 June, in advance of the Conference. This had been opposed by a number of Brahimi's Iraqi interlocutors. They urged him to convene the Conference before the formation of the government, so it could play a part in legitimising it by granting it confidence. But Brahimi argued that there was insufficient time. The Conference would convene after the government was established, and aim to launch a country-wide dialogue to promote national reconciliation as well as exercising its constitutional role of overseeing the government.

A successful Conference, in which the participation of a broader range of political forces is secured — particularly opposition forces (including the non-terrorist resistance) — would also help douse the flames of political violence. This would in turn pave the way for free elections to be held throughout the country in January 2005. It would be hard to ensure the success, and by extension the legitimacy, of elections held in the current climate of acute political polarisation accompanied by endemic violence. The experience of Afghanistan makes that clear.

The promotion of dialogue and national reconciliation should, in my view, be the main reason for convening the Conference, in addition to helping formulate and monitoring the implementation of executive decisions. It should not merely be about creating more of the trappings of sovereignty by establishing an Advisory Council that will only exist for five months. Nor should it be geared to compensating members of the former Governing Council who weren't awarded posts in the government or presidency.

Regrettably, it was the Governing Council's "sharing out the cake" attitude which determined the way the Preparatory Committee was put together in its final (100-member) form. Instead of approaching opposition or marginalized players in order to secure their serious (as opposed to token) participation at the Conference, those in charge of the Preparatory Committee sufficed with approving names that had been "proposed" by Brahimi or others, while preserving the dominance of the

same forces that used to control the former Governing Council. This prompted a number of the "outsiders" who were invited to join the Committee to decline. Others, myself included, accepted — in the hope that things could be put right from inside the tent more effectively than from outside it.

If the Conference is to succeed, it must also acknowledge and learn from the experiences and mistakes of the former Governing Council. This is vital if it is to start winning the hearts and minds of Iraqi citizens, the majority of whom are, according to a 10 July survey, either ignorant of or indifferent to the activities of the Preparatory Committee.

Yet when the decision was taken to form the Committee, 20 members of the former Governing Council (those who weren't given government or presidency jobs) were automatically made members of it. They even had seats reserved for them on the unborn Advisory Council — whose 100 members are supposed to be elected by the 1,000 National Conference delegates.

Four of the party leaders who sat on the Governing Council were also allowed to delegate their own representatives, a privilege not extended to other political figures. The leaders of the Daawa Party (Ibrahim Jaafari) and the National Accord (Iyyad Allawi) were given the right to represent their respective parties. Add to the list the Preparatory Committee's chairman, Dr. Fuad Maasoum, and the two former ministers serving on it, and at least one quarter of the membership of the body turns out to be an extension of the Governing Council.

The dominance of the former Governing Council and its constituent parties was further strengthened by the earmarking of 144 seats at the Conference for Iraqi political parties. I would like to point out what the opinion polls have been indicating in this regard. The survey conducted in March by the BBC and Oxford Research International showed that the parties in the Governing Council were extremely unpopular at the time. The last opinion poll taken before the transfer of sovereignty in June — by the Independent Institute for Administrative and Civil Society Studies (IIACSS) and the International Republican Institute (IRI) — confirmed the low level of public trust in political parties generally.

The details are instructive. While 72.81% of respondents said they expected things generally to improve with the transfer of power to a new interim government, 59.58% wanted the ministers serving at the time to be replaced, 62.03% wanted the provincial governors changed, and 71.88% wanted new local administrators and judges to be appointed. 70.47% called for the militias to be dissolved.

Asked who they would vote for if elections were held today, 54.95% opted for individual candidates, 17.07% for candidates associated with parties or prominent figures, and only 11.88% for the candidates of political parties or movements.

To the question "To what extent do you trust the political parties?", nearly half (49.84%) replied "not at all", 11.77% indicated some degree of trust, and 6.30% professed complete trust.

As for whether they currently supported any political party or movement, 78.02% said they did not and 18.33% said they did. A full 90.83% said they had not been approached by any party or movement since the fall of the former regime. Only 6.46% had been contacted by them.

The margin of error in such surveys is rarely above 5%, but even if it were to be double that, the conclusion would be unchanged. The parties have failed to appeal to the Iraqi public. And in the absence of legislation regulating them, it is extremely difficult to devise clear and specific criteria as to how they should be treated and represented.

Despite everything, if our objective is to overcome the crisis, there is still time for the Preparatory Committee and the National Conference to be put right. I propose that the following steps be taken: 1. Former Governing Council members should give up their automatic places on the Advisory Council and stand for election like all the other members. This would eliminate double standards in the selection of its membership.

2. Members of the Preparatory Committee should apply to themselves the same rules that were applied to the seven-member body that supervised the selection of representatives from the provinces. They must, in other words, avoid being both participants and referees. This means accepting the principle that they cannot be nominated for membership of the Advisory Council which the Conference is to select. This would bolster confidence in the Committee's objectivity and impartiality.

3. The places reserved for independent figures at the Conference should be used to encourage dissident and marginalized political elements to join the parliamentary game instead of employing political violence. The key criterion for selecting the independent participants should be what they can contribute to the Conference, not what they can gain from it. In the conditions under which we currently live — the absence of security, and many other state functions too — we have to acknowledge the importance of religious and tribal leaders in controlling their followers,

especially when in many cases a single tribe spans the Shi'i-Sunni divide. The public approval with which the choice of Sheikh Ghazi al-Yawer as head of state was greeted reflected his role as a bridge-builder rather than a divider.

Finally, if we are to overcome the crisis we are in, we need to work for the common good and be unselfish. The forthcoming conference is an opportunity for us to set an example to our compatriots. It may be the last chance to prevent a total breakdown, or halt the slide toward the brink of civil conflict and the de facto partition of Iraq. The authority wielded by the Advisory Council that emerges from the National Conference will be more moral than constitutional. But only if it manages to win the trust of Iraqis by consolidating national harmony and civil peace, without which we will find ourselves heading either for chaos or a new dictatorship.

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