

Pros and Cons of a Provisional Government

- There are calls in the press and from within the Iraqi opposition to form a provisional government prior to liberation. There are advantages and disadvantages to this:
- **Advantages:**
 - Demonstrates seriousness of Iraqi liberation planning.
 - Might encourage defections so long as resulting "Iraq Liberation Organization" (ILO) welcomes participation of Iraq's internal opposition.
 - Increases pressure upon Saddam.
 - Facilitates training and operational deployment of the Free Iraqi Force (FIF) in these ways:
 - The ILO could provide nationality documentation to volunteers. Documentation may be needed in transit to training sites.
 - The ILO would provide international legal status for FIF combatants. Saddam's regime would be liable for war crimes in event of their capture and mistreatment.
 - The ILO could be the military justice authority over the FIF personnel, thereby saving the U.S. military the requirement.
 - The ILO would be the single partner with whom the USG would negotiate such matters as FIF personnel salaries, claims, and long-term obligations. The USG would not have to sign "contracts" with 3,700 or more individuals or with the various opposition groups.
 - Allows leadership to emerge from within a common political body.
 - Provides better legal basis/political cover for post-liberation governance.
 - A streamlined voice prior to liberation eases transition to post-Saddam era.

- Provides a vehicle for the Iraqi opposition to approach other governments.
- An Iraq-wide forum potentially dilutes ethnic and sectarian interests.
- **Disadvantages:**
 - Risk that groups won't work together, damaging the opposition's reputation.
 - Tiny groups with questionable constituencies may filibuster agreements.
 - May constrain U.S. Iraq policy flexibility.
 - Without real power, the opposition has little incentive to address issues responsibly.
 - Arguments within opposition distract from the end goal of ousting Saddam.
 - Practical problem of where to host ILO.
- **Recommendations:**
 - DoD should immediately convene a meeting of the Iraq Liberation Act (ILA) committee described in the latest Presidential Determination.
 - The ILA committee is a good venue to build unity and trust among Iraqi groups in advance of declaration of an ILO.
 - The ILA committee can decide: leader selection standards, salaries and per diem for volunteers, relationship of opposition groups with volunteers once training begins, and date and place for training.
 - Tell the Iraqi opposition that the U.S. Government will promptly recognize an ILO comprising most of the major Iraqi opposition groups.
 - The U.S. Government should recognize legitimacy of a provisional government upon declaration.
 - The U.S. Government should not ask Iraqi opposition forces to fight as stateless persons on the battlefield.

- The ILO will not dispense ministries or hierarchical leadership, but will open offices in important capitals.
 - This avoids squabbling over ministries and positions.
 - Representation offices allow the Iraqi opposition to dispense patronage.
 - Such offices can gather support for US efforts on behalf of the ILO.
 - After liberation, such offices can coordinate donor assistance.
 - Such offices can merge with (and absorb) the Kurdistan Regional Government representations.
- ILO can make agreements with the U.S. relating to aid and governance in the post-Liberation period.