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# A REPORT CONSISTENT WITH THE AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION

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## COMMUNICATION

FROM

# THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT INCLUDING MATTERS RELATING TO POST-LIBERATION IRAQ AS CONSISTENT WITH THE AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002 (PUBLIC LAW 107–243)



SEPTEMBER 3, 2003.—Referred to the Committee on International Relations and ordered to be printed

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THE WHITE HOUSE,
*Washington, August 15, 2003.*

Hon. J. DENNIS HASTERT,
*Speaker of the House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: Consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243), the Authorization for the Use of Force Against Iraq Resolution (Public Law 102–1), and in order to keep the Congress fully informed, I am providing a report prepared by my Administration. This report includes matters relating to post-liberation Iraq under section 7 of the Iraq Liberation Act of 1998 (Public Law 105–338).

Sincerely,

GEORGE W. BUSH.

# REPORT TO CONGRESS

Submitted consistent with PL 107-243:
"Authorization for Use of Military Force Against Iraq Resolution of 2002"

August 15, 2003

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## I. Executive Summary

This report covers approximately the period from June 5, 2003 to July 18, 2003. During this period, the Coalition Provisional Authority (CPA), under the leadership of Ambassador L. Paul Bremer, tackled a range of problems facing Iraq. With Iraq liberated from Saddam's tyranny only two months ago, the world now sees the tragic consequences of the isolation and terror imposed by the Ba'athist regime. The CPA's highest priority has been to establish a secure environment for the Iraqi people. The CPA has made significant progress in rehabilitating and professionalizing Iraq's police force.

With the humanitarian situation stabilized quickly, reconstructing Iraq's infrastructure, devastated by war and many years of neglect, became another high priority. This report will summarize the breadth of our reconstruction activities throughout Iraq.

Finally, Iraq has taken a key step toward representative democracy with the establishment of the 25-member Governing Council as the principal body of the Iraqi interim administration contemplated by UNSC resolution 1483. This group of notable Iraqis has specific responsibilities and authorities during the transition to a new, democratic government and will work closely with the CPA to manage Iraq's transformation and reintegration into the international community.

Relief and reconstruction efforts are summarized in section II. Democracy building and governance issues are described in section III. Military operations are covered in section IV.

## II. Relief and Reconstruction

Much of the information in this section was also provided to Congress in the most recent "Report to Congress Pursuant to Section 1506 of the Emergency Wartime Supplemental Appropriations Act, 2003" (P.L. 108-11). This section provides a broad overview of reconstruction activities undertaken by the coalition during the reporting period.

Security

Security continues to be the top coalition priority. Security is the foundation for success of reconstruction efforts in Iraq, and a fundamental task in our administration of Iraq. The coalition has made significant progress since the collapse of Saddam Hussein's regime, but substantial challenges remain.

The security situation in Iraq is complex. In most areas, the security environment is generally permissive -- there is reasonable freedom of movement, recovery activities proceed without significant hindrance, and coalition forces are engaged in stability operations. In other areas, the environment is less permissive and coalition forces are engaged in combat operations against remnants of the Ba'athist regime and foreign-supported terrorists. Criminality -- kidnappings, carjackings, looting and robberies -- is a challenge both to reconstruction efforts and to ensuring the security of the Iraqi people.

A key component of the coalition's multifaceted approach to establishing security in Iraq is engaging Iraqis to assist in providing for the security of their own country. The coalition has moved quickly to establish Iraqi police forces and has begun recruiting, vetting, and training the first members of the new Iraqi Army. Security forces for ministries and for other purposes -- for example, port security -- are being screened, hired, and trained. In addition, the coalition plans to recruit an Iraq Civilian Defense Force. We expect this force to be ready to assume security operations with 6,800 trained personnel by September 15.

Food

The near-term focus of food assistance has been on distribution. Approximately 1.7 million metric tons of food (much of it U.S.-purchased or -donated) has been delivered to Iraq since the war. Another 500,000 metric tons will reach Iraq by the end of October. In June, the CPA, working with the U.N. World Food Programme, successfully restarted the public food distribution system.

This system will now reach all Iraqis -- even those excluded under the Saddam regime. These activities will continue until it is possible to transition to a more market-based system. As an important step, the CPA, working with the Iraqi Trade Ministry, the World Food Programme, and the Food and Agricultural Organization, has bought Iraqi harvests at a fair price, and so

far has purchased over 600,000 metric tons of wheat and around 150,000 metric tons of barley.

Health

The immediate focus in this area has been on rapid return to at least pre-war healthcare levels throughout Iraq. Pre-war health conditions were poor and the medical infrastructure was degraded by looting in the immediate aftermath of conflict. The public health situation is improving throughout the country, and there are no health crises.

The CPA activities have focused on working with the Ministry of Health to ensure that basic health care services are available to all Iraqis. Today, nearly all of Iraq's 240 hospitals, 10 specialty centers, and more than 1,200 clinics are open and receiving patients. Services are at approximately 90 percent of their pre-war levels in the Kurdish regions, 80 percent of pre-war levels in the South, and 70-75 percent of pre-war levels in Baghdad. Preventive services also have been initiated, beginning with National Immunization Day on June 22 and to be continued every month thereafter, providing protection against disease to the children of Iraq regardless of ethnicity or geographical area of origin. Iraq's pharmaceutical and medical supply distribution system, known as Kimadia, is functional again under the auspices of the Ministry of Health, and over 1,500 tons of supplies have flowed to hospitals, clinics and warehouses throughout the country.

An Iraqi International Medical Assistance Committee (IMAC) has been established and coordinating incoming offers of assistance and supplies. This Committee ensures that donations are carefully vetted and targeted to existing needs. However, extensive looting and a decade of governmental neglect have caused major infrastructure challenges that must be addressed. Facilities and basic medical equipment are in need of maintenance and repair. The CPA has purchased new generators for hospitals in Baghdad and has begun renovation of the Ministry of Health headquarters in Baghdad.

Electrical Power

The CPA efforts have aimed at rapidly achieving pre-war power levels throughout Iraq. Challenges have included a dilapidated power infrastructure coupled with looting and sabotage directed at the power infrastructure. Much of Iraq is now at or above pre-war power availability, with Baghdad as the

notable exception. Power availability in Baghdad has averaged about 1,000 megawatts per day over the last several weeks, up from 300 megawatts at the end of major combat, but well below the approximately 2,400 megawatts per day pre-war. Occasional outages in specific areas also have ripple effects in other sectors such as water and oil. The CPA is working through a USAID contract and with the Iraq Electricity Commission to improve power generation in the short term and repair the power infrastructure for the longer term.

Water and Sanitation

The focus of activities has been on increasing water supplies to pre-war levels and restoring sewage treatment plants to operation. Much of Iraq is at or near pre-war water availability, and there are no critical water shortages. Baghdad water supply levels have plateaued at about 1,600 million liters per day, less than the pre-war level of 2,000 million liters, but adequate to avoid critical shortages. The CPA is working through a USAID contract to increase water supply to East Baghdad by 45 percent (increasing water supply to Baghdad by 15 percent overall) and to rehabilitate water treatment facilities supplying Basra. Projects are also underway to repair sewers and sewage treatment facilities.

Oil and Fuels

Activities have aimed to restore Iraqi oil production as rapidly as possible. An interim Iraqi management team, under the leadership of Mr. Thamir Ghadhban, has responsibility for day-to-day management of the sector, including the determination of production and export levels. Iraqi oil exports resumed on June 22, 2003, when oil stored at Ceyhan, Turkey, was loaded on tankers, freeing up storage space and removing one limiting factor on production. The Iraqi State Oil Marketing Organization (SOMO) continues to issue tenders for future exports. Crude oil production was about 750,000 barrels per day in late June and is expected to exceed 1 million barrels per day by late summer -- but this production level will depend on many variables, including security of the oil infrastructure. While oil production is coming on line, CPA activities have also focused on ensuring adequate supplies of fuels for the Iraqi people such as gasoline and liquid petroleum gas (LPG). Daily gasoline supply fluctuates between 50 - 100 percent of pre-war consumption.

Public Safety/Law and Order

Responsible public safety institutions and personnel are indispensable for long-term progress in Iraq. CPA activity has focused on vetting, hiring, training and deploying Iraqi police forces and other security forces to assist in establishing and maintaining a secure and permissive environment. The CPA has recalled to duty over 30,000 Iraqi police officers, is refurbishing police academies in Baghdad and Basra, and in May began joint Iraqi-Coalition patrols. In Baghdad, approximately 6,500 new police officers are assigned to 33 police stations and 3 police divisions, and are now operating 24 hours a day. The CPA and Coalition forces organized and recruited an Iraqi port security force for the Umm Qasr port, and are beginning to create security forces for various ministries. Rebuilding Iraqi police forces has been a challenge because the existing forces were poorly trained, ineffective, and widely distrusted.

To lead the reformation and rebuilding of Iraq's public safety institutions, former New York City Police Commissioner Bernard Kerik was appointed to serve as the CPA's Senior Policy Advisor overseeing the police, fire, border control, customs, and immigration organizations.

Justice Reform

The CPA has undertaken a number of initiatives directed towards instituting the rule of law in Iraq and building public confidence in the legal system. On June 9, 2003, the CPA suspended certain criminal laws that were inconsistent with Iraq's obligations under international human rights instruments, such as the offense of insulting a public official. The CPA also suspended the death penalty.

On June 18, 2003, the CPA issued procedures for applying criminal law in Iraq. These procedures were based on the Iraqi Law on Criminal Proceedings of 1971, with certain modifications by the CPA. These criminal procedures recognized that the effective administration of justice must consider: the rehabilitation of the Iraqi investigative and trial capability; the continuing involvement of coalition forces in providing critical support to many functional aspects of the administration of justice; the need to transition from this dependency on military support; the need to modify aspects of Iraqi law that are inconsistent with Iraq's obligations under international human rights instruments; the ongoing process of security internee management as provided for by the Fourth Geneva

Convention; and the possibility of the exercise of jurisdiction by coalition authorities regarding the commission of war crimes against coalition forces. The new procedures established certain fundamental legal rights, including that confessions extracted by torture will be inadmissible as inculpatory evidence under any circumstances; previously, such confessions were admissible if corroborated by other evidence, even if that other evidence was obtained through torture.

The Administrator has also established a Judicial Review Committee to examine all judges and prosecutors nationwide for complicity in the crimes of the former regime, corruption, or other malfeasance and to remove all offenders. These problems were endemic under the former regime and eradicating them is crucial to establishing public faith in the justice system. A Central Criminal Court of Iraq has been created as a model of procedural fairness and judicial integrity. Repairs and rehabilitation are underway or complete on many court and prison facilities severely damaged by looting, war, or neglect by the prior regime.

Refugees, Returnees, and Internally Displaced Persons (IDPs)

Although conditions are not right for large-scale refugee returns at this time, the CPA has authorized small-scale returns organized under United Nations High Commissioner for Refugees (UNHCR) auspices. The first group returned July 29 from the Rafha camp in Saudi Arabia, with two other groups to follow shortly thereafter. Facilitated returns from among the 200,000 Iraqi refugees in Iran are under consideration. Some of the approximately 500,000 refugees expected to return to Iraq are already doing so spontaneously.

The CPA is developing a property claims and adjudication process, with technical assistance from the International Organization for Migration (IOM), to assist IDPs in reclaiming homes and property that may have been occupied by others in their absence. There were an estimated 800,000 IDPs prior to Saddam Hussein's fall.

The CPA is trying to identify permanent housing for the 300 Palestinian families forced from their homes and currently living in a Baghdad stadium where UNHCR and International Committee of the Red Cross (ICRC) are providing assistance and protection. They are long-term residents of Baghdad who received considerable government support under Saddam.

Education

The immediate focus of the education sector has been on the preparation of primary and secondary schools for the upcoming school year this fall. The assessment of 3,000 of Iraq's 3,900 secondary schools has been completed (all 8,100 primary schools have been assessed through other donor funding). Physical rehabilitation of the schools is underway.

Student kits for 1.2 million students and school kits for 3,900 schools have been ordered to ensure that classrooms are sufficiently equipped by the start of the new school year on October 1st. Procurement and delivery schedules are on target.

The revision of math and science textbooks for kindergarten through twelfth grade has been completed. The printing and distribution of 5 million math and science textbooks will be completed by the beginning of the new school year. Fifteen million exam booklets have been procured for year-end exams. To date, school officials have administered year-end exams for 4.5 million students, and an additional one million were expected by the end of July.

Public Telecommunications

Restoration of Iraq's public telecommunications consists of the installation of switches and the repair of the fiber optic backbone. The installation of 13 of the 33 switches for local access is underway, and will allow 240,000 lines to return to operation by mid-October. Bechtel is working on a satellite gateway for half the country's international connection need. One international switch for international service will be installed by late August. The repair of Iraq's 2,000 kilometer-long fiber optic network from north of Mosul through Baghdad and south to Nasiriyah and Umm Qasr will be completed by November. The network will reconnect 20 cities, including Baghdad, covering 70 percent of Iraq.

Transportation Infrastructure and Ports of Entry

The primary focus has been the rehabilitation of airports and the Umm Qasr seaport, and work has proceeded on or ahead of schedule. Bechtel is the prime USAID contractor for major reconstruction work.

*Airports:*

The re-opening of Baghdad International Airport (BIAP) to commercial traffic has been the immediate concern. Repair work is proceeding well, and BIAP will be ready for commercial operations when the security situation allows. Reconstruction activities have included the repair of Terminal C and administration offices, installation of VSAT communications to allow over-flight operations, and the installation of 6.5 megawatt generators to provide reliable electrical power. Next steps include the construction of additional temporary terminal areas at BIAP, and the continued rehabilitation of Basrah and Mosul airports.

*Seaport:*

The Umm Qasr port re-opened to commercial traffic on June 17, 2003. The process to open port berths is nearly five months ahead of schedule, and 50,000-ton cargo ships are able to dock three months ahead of schedule. Petroleum is being transshipped through Umm Qasr, and container and roll-off cargoes are also arriving. Port tariffs became applicable on June 20. These tariffs will enable the port operations to be financially sustainable. Repair to grain silos will be completed by the beginning of August, which will enable grain from vessels to be stored and thus avoid spikes in milling.

Next steps for the rehabilitation of Umm Qasr port include the management of customs, immigration, and security for cargoes; and the procurement of cranes and other capital equipment to increase port capacity. The transfer of authority of port operations is expected to take place within a time frame of three to five months.

*Bridges and roads:*

The construction of a four-lane bypass road has been completed for the damaged Al-Mat bridge. The bypass road provides a key commercial link from Baghdad and other Iraqi cities to Jordan. Over 3,000 trucks carrying humanitarian and commercial supplies use this route daily.

The Ministry of Public Works has identified the following three bridges as top priorities: 1) the Al-Mat bridge, which is in imminent danger of collapse, 2) the Khazir bridge, which is located near Mosul and is critical to the flow of fuel and agricultural products in the northern region, and 3) the Tikrit bridge, which provides an important commercial link between Tikrit and Tuz Khurmatu.

*Railroads:*

The government-owned railroad system has not been sufficiently maintained, and will require significant capital investment to address deferred maintenance and lack of spare parts. Repair is underway on a 72-kilometer stretch from Umm Qasr port to Shuaiba Junction to ensure that grain shipments from the port to the mills are not jeopardized.

Debt

The Administration is investigating options for helping a post-conflict Iraqi government deal with its financial vulnerabilities, including its external debt. Over the last few months, we have worked with the international community to understand Iraq's overall financial and debt situation. Importantly, we have secured consensus among Paris Club creditors not to expect Iraq to service its debt obligations through 2004. We have worked within the Paris Club to collect data on Paris Club creditor claims on Iraq. At the same time, the IMF has requested data from non-Paris Club members on their Iraqi claims.

## III. Transition to Democracy

Governing Council

After nationwide consultations with the full spectrum of Iraqi society, the CPA appointed a 25-member Governing Council (GC). This was a key step in transforming Iraq into a free, representative democracy. The Council members were drawn from a broad spectrum of Iraq's society. They include representatives of Iraq's Shia Muslim, Sunni Muslim and Christian religious communities, and are of Arab, Kurd, Assyrian, and Turkoman ethnicity. The members also represent a diversity of backgrounds, including professionals and civic leaders, formerly exiled political activists, and religious clerics. Three Council members are women. Nine of the Council members were chosen to serve on a rotating basis as its president.

The Council's first action was to nullify Ba'athist holidays and declare April 9, the fall of the Saddam Hussein regime, to be a national holiday. It also dispatched a delegation to New York to consult with the U.N. Security Council and is exploring the establishment of a tribunal to investigate and prosecute the crimes of the former regime. The Council issued a statement summarizing its responsibilities, including

setting the basis for a democratic system that guarantees freedom of thought and expression and respect for human rights.

The GC is empowered with significant authorities, including naming and overseeing interim ministers, formulating the national budget, and appointing Iraqi representatives to international organizations and bilateral missions. In addition to these enumerated powers, the Council is expected to assist the CPA in developing policy on the full range of issues facing Iraq, including security and justice, economic issues, and reconstruction.

Perhaps the GC's most important responsibility will be to organize the process that culminates in a new Iraqi constitution. The aim is to produce a constitution that is legitimate in the eyes of the Iraqi people and can pave the way, as quickly as possible, to national elections leading to a new, internationally recognized Iraqi government. We have asked the GC to consider appointing a Preparatory Constitutional Commission to make recommendations to the GC on how the delegates to a larger Constitutional Convention will be selected. Ultimately, the GC will decide how it wishes to proceed towards the development of the new Iraqi constitution.

Local Governance

In addition to the support for political transition on the national level, efforts are underway to promote democratic processes at the local governance level. Local governance teams are now operational in more than seven provinces. The Interim Baghdad Advisory Council, representing the population in the Baghdad metropolitan area, was inaugurated on July 7, 2003. Neighborhood councils now represent 85 of Baghdad's 87 neighborhoods to the district and city councils.

Throughout Iraq, more than 145 small grants totaling $8 million have been awarded in 11 governorates. Examples of small grant projects include the rehabilitation of 20 schools in Umm Qasr and Basrah to benefit over 7,000 students, and the restoration of water services in Basrah to benefit 1.37 million people. Next steps will include the inauguration of neighborhood, district, and municipal advisory councils in other Iraqi cities.

## IV. Military Operations

During this reporting period, there were approximately 158,000 troops in Iraq, consisting of 148,000 U.S. forces, and 10,000 coalition forces with the primary mission to establish a secure environment that enables reconstruction and reform actions. There will be additional contributions to stabilization from Poland, Spain, the Ukraine and other countries.

During this period, there was an increase in the tempo of attacks against coalition forces, primarily from former regime Ba'athists, terrorists, foreign fighters, and criminals. These attacks showed emerging regional coordination amongst regime loyalist elements and foreign fighters. Continued looting and sabotage of electric and water distribution systems hampered the delivery of basic services.

Coalition military operations were conducted to seek, capture and/or destroy organized anti-coalition forces, leaders, and materiel. These included Operation DESERT SCORPION, a series of sweeps and raids to capture Saddam loyalists that resulted in 286 detainees, Operation SIDEWINDER, and Operation SODA MOUNTAIN.

Our military forces will continue to work with the Iraqi people and our coalition and supporting partners to bring security to Iraq. President Bush has stated the Administration's commitment to this goal. As the President has indicated previously, it is not possible to know at this time either the duration of military operations or the scope and duration of the deployment of United States Armed Forces necessary for the full accomplishment of our goals.

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