



Iraq: Multinational Forces after the Drawdown

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After seven years of a military presence in Iraq, multinational forces, led by the US, have made significant progress toward withdrawal from the country.

The majority of UK forces withdrew by the end of July 2009 and only a small contingent of Royal Navy vessels and personnel remain in order to conduct naval training and assist in the protection of Iraqi oil installations in the Persian Gulf.

In February 2009 President Obama set out a timeframe for the withdrawal of the remaining US forces in the country. All US combat forces will now be withdrawn by 31 August 2010. Between 35,000 and 50,000 personnel will remain as a transitional force to equip, advise and train the Iraqi Security Forces and conduct counter-terrorism operations in concert with the ISF. All US forces will be withdrawn from Iraq by 31 December 2011.

However, a spate of bombings since mid-2009 which has resulted in hundreds of ISF personnel and Iraqi civilians being killed or wounded, and a rise in sectarian violence following the March 2010 elections, has raised questions over the ability of the ISF to maintain security and whether, as a result, the US timeframe for withdrawal may now slip.

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1 Background

On 31 December 2008 the UN Security Council Resolution mandating the presence of a Multinational Force in Iraq, expired. Coalition forces remain in the country at the invitation of the Iraqi government, although caveats on their role, legal status and their eventual withdrawal have been expressly set down in bilateral agreements governing their presence, which have been concluded by the Iraqi government and the remaining Coalition countries.

Details of the presence of Coalition forces in Iraq since 2003 are set out in the following Library papers:

- Research Paper RP04/58, [Iraq: Political and Security Issues at the Handover](#), 19 July 2004
- Standard Note SN/IA/3278, [Coalition Forces in Iraq: An Update](#), 31 January 2005
- Standard Note SN/IA/3432, [Iraq: A Coalition Exit Strategy?](#), 1 February 2006
- Standard Note SN/IA/3431, [Coalition Forces in Iraq after the January 2005 Elections](#), 21 March 2006
- Standard Note SN/IA/4227, [New Strategy for Iraq: Summary and Reaction](#), 15 January 2007
- Standard Note SN/IA/4099, [Coalition Forces in Iraq: Recent Developments](#), 20 September 2007
- Standard Note SN/IA/4845, [Coalition Forces in Iraq – Towards a Drawdown?](#), 22 September 2008
- Standard Note SN/IA/4926, [The Future of Coalition Forces in Iraq](#), 7 January 2009

2 British Naval Training

After six years in Iraq, the UK handed over security responsibility for Multinational Division South East to US forces on 31 March 2009.¹ The official end to the UK combat mission in the country was marked on 31 May 2009; while the majority of British forces were withdrawn by 31 July as per the stipulations set down in the bilateral agreement concluded between the UK and Iraqi governments in December 2008.² As part of those discussions it was also expected that the commitment to retain a contingent of British personnel in the country in order to conduct naval training, would be made.

On 18 December 2008 the Prime Minister made a statement to the House in which he outlined the future size and role of the British military commitment in Iraq and the broader strategic relationship that is expected to develop between the UK and Iraq in the longer term. Mr Brown stated:

Yesterday, Mr. Maliki and I agreed that Britain's future role will focus on continuing protection against attack of Iraqi oil platforms in the northern Gulf, together with long-term training of the Iraqi navy—work that I saw for myself at the port—and support for training the officers of the Iraqi armed forces. In other words, that is the realisation of a normal defence relationship, similar to those we have with our other key partners in the region, which I agreed with Mr. Maliki in July was our joint objective for 2009.

Of course, that relationship will be one strand of a broader, enduring relationship with democratic Iraq, which I also discussed yesterday with the Prime Minister. Our future relationship will be one of partnership. We agreed to continue the shift of focus to economic, commercial, cultural and educational relationships. We will maintain a large embassy headed by a senior ambassador in Baghdad and maintain small missions in Basra and Erbil. The embassy in Baghdad will expand its commercial office and the Department for International Development will expand its programme of economic advice in Baghdad. We have discussed a plan with Prime Minister Maliki for British companies to provide expertise to the Iraqi Ministry of Oil, and Britain can help Iraq's plans to give 10,000 Iraqi students scholarships overseas.³

However, the initial failure of the Iraqi Parliament to agree the *UK-Iraq Defence Training and Maritime Support Agreement* that would mandate the presence of British naval forces in Iraq and its territorial waters beyond 31 July 2009, resulted in the suspension of UK training activities, the withdrawal of two Royal Navy vessels from Iraqi waters and the re-deployment of British personnel on the ground to Kuwait.⁴

The Iraqi Parliament finally endorsed that agreement on 13 October 2009. In a Written Ministerial Statement on 22 October 2009, the then Minister of State for the Armed Forces, Bill Rammell outlined:

I am making a statement on the UK's bilateral agreement with the Government of Iraq on defence training and maritime support. Copies of the text of this agreement were placed in the Libraries of both Houses on 26 July.

¹ The US is primarily concerned with maintaining logistics and its main supply routes through the south of the country.

² Details of that agreement are set out in Library Standard Note SN/IA/4926, *The Future of Coalition Forces in Iraq*, 7 January 2009

³ HC Deb 18 December 2008, c1235

⁴ That agreement had been approved and signed by the Iraqi government on 6 June 2009.

The House will be aware that the UK concluded combat operations in Iraq on 30 April, and that our combat forces were withdrawn by the end of July in accordance with our previous arrangement with the Government of Iraq.

As the Prime Minister announced on 18 December last year, the Iraqi Government have requested our continued military assistance, particularly in officer training, naval training and maritime support. The two Governments therefore concluded an agreement concerning naval training and maritime support to Iraqi forces in June. Since then, the agreement has been considered by the Iraqi Council of Representatives and received its Third Reading on 13 October. The agreement will now enter into force once both parties have completed their parliamentary procedures and exchanged diplomatic notes.

My right hon. Friend the Defence Secretary wrote to Opposition spokesmen and the Chair of the House of Commons Defence Committee last month to explain our intention to bring the agreement into force as soon as the Iraqi Government are ready. Training of the Iraqi Navy has been paused since June, and it is important to resume this activity as soon as possible to ensure that they quickly develop the capacity to protect their own territorial waters and the offshore oil platforms which are so vital to Iraq's economic revival. A prompt resumption of training would allow our Royal Navy trainers, who have been held at readiness since June, to return to the task that they are so adept at delivering.

The agreement was published as a Command Paper and laid before both Houses on 25 September. However, due to our summer recess, it will not now be possible to allow the agreement to lay for the full 21 sitting day period before exchanging diplomatic notes. Since it is agreed that our training activity should resume as soon as possible, and having kept Parliament informed of progress throughout the recess, the Government intend to notify the Iraqi Government within the next few days that the UK is ready to bring this agreement into force.⁵

The Iraqi Presidency Council ratified the agreement in November and an exchange of notes took place on 22 November 2009.⁶

A copy of that Command Paper is available online at:

<http://www.fco.gov.uk/resources/en/pdf/3706546/3892733/10149409/TrIraq1.2009ForcesTraining>

That agreement now provides the legal authority for up to 100 personnel to be deployed in Iraq for a period of one year on naval training duties, and for up to five British ships to continue providing support to the Iraqi Navy in the protection of oil installations and infrastructure in the Persian Gulf. Despite this ability to deploy up to five vessels, the Royal Navy presence in the Persian Gulf consists of one warship supported by one vessel of the Royal Fleet Auxiliary.⁷ In total the number of British forces involved is expected to be in the region of 400 navy personnel. Those personnel on the ground will be based at a UK facility in the Iraqi Naval Base at Umm Qasr. UK forces will be subject to Iraqi legal jurisdiction, with the exception of those crimes committed inside the UK facility at Umm Qasr, and those committed while on duty which are unintentional or do not arise from gross negligence. In those instances British forces will be subject to the jurisdiction of the UK.

⁵ HC Deb 22 October 2009, c68WS. That command paper is Cm7707, Session 2008-09

⁶ HC Deb 1 December 2009, c121WS

⁷ <http://www.royalnavy.mod.uk/operations-and-support/operations/joint-operations-rn-army-raf-nato/gulf/>

Subject to a separate agreement between NATO and the Iraqi Government, the UK will also continue to provide training to Iraqi Armed Forces' Officers as part of the wider NATO Training Mission in Iraq. An agreement between the Iraqi government and NATO regarding the legal status of forces undertaking that training was signed on 26 July 2009.⁸

Responding to comments in the British media in December 2008 that UK forces "had failed to achieve anything in Iraq", the then Chief of the General Staff, General Sir Richard Dannatt stated:

I ponder about the wisdom of some of the armchair critics who have sat very comfortably at home while British soldiers, sailors and airmen and marines have fought with extreme valour in Basra and the south of Iraq over the last six years. Let's face it, this was all about politics in the first place, it was about regime change. That's a very difficult and political undertaking. We had done our part to the best of our ability. It started in politics, it will finish in politics, and in the middle is intra Shia politics.

We have sensitively done what seemed right and stood back when it was right and only re-engaged also when it's right. This is not an easy situation. It has been very complex and I am really dismayed by some of the criticism that's been made [...] and I want to certainly re-assure the soldiers and their families who have taken part in this campaign that it has been absolutely worthwhile and the 178 lives that have been lost have not been lost in vain. We have achieved what we set out to achieve [...]

I don't want to draw comparisons with Northern Ireland (but) it took 38 years of involvement there by the Army to bring that to a satisfactory conclusion, 14 years in Bosnia, nine years and still counting in Kosovo. Yet the operation in Iraq has been concluded and will be concluded in six years. That is relatively quick as far as these things go. It's been complex, it's been difficult, but it's been successful and I really believe that people should recognise that and be appreciative of what our servicemen have done.⁹

3 US Forces in Iraq

3.1 Status of Forces Agreement (SOFA)

The *Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship Between the Republic of Iraq and the United States of America* which was signed in November 2007 indicated that both countries would work toward establishing a detailed strategic framework for US-Iraqi co-operation in the long term and specifically address the presence of US forces in Iraq beyond the current parameters of the UN mandate, by July 2008.

However, those negotiations were continually marred by disagreements over the future legal status of military personnel and private security contractors, in particular their immunity from Iraqi law under CPA Order No.17; the presence of foreign military forces in Iraq in the longer term; control of Iraqi airspace and the prerogative of the US military to conduct operations without the approval of the Iraqi government.¹⁰ The unwillingness of the US administration to set firm deadlines for the withdrawal of Coalition forces had also prompted some disquiet within the Iraqi government which had sought to limit the number and role of US forces in the

⁸ http://www.nato.int/cps/en/SID-63DA7DFB-0B6747F0/natolive/news_56646.htm?selectedLocale=en

⁹ Ministry of Defence Press Release, 23 December 2008

¹⁰ Set out in the letters annexed to UNSCR 1546.

country after the UN mandate expired. An article in the *Washington Post* in June 2008 quoted Sami al-Askari, a senior Shi'ite politician on the Iraqi Parliament's Foreign Relations Committee as commenting that "the Americans are making demands that would lead to the colonization of Iraq".¹¹ The Iraqi government also reportedly came under pressure from Iran to resist establishing any long term security arrangements with the US.¹² Speaking at a meeting of Arab ambassadors in the United Arab Emirates in early July 2008 Iraqi Prime Minister, Nouri al-Maliki, commented:

The direction we are taking is to have a memorandum of understanding either for the departure of the forces or to have a timetable for their withdrawal. The negotiations are still continuing with the American side, but in any case the basis for the agreement will be respect for the sovereignty of Iraq.¹³

After months of political wrangling the US and Iraqi governments signed a Strategic Framework Agreement, which set out the principles for long term co-operation between the US and Iraq, and a Status of Forces Agreement on 17 November 2008. In a series of concessions to the Iraqi government the US agreed to change its approach to a number of the issues which had been hindering negotiations, including the autonomy of US operations, the legal status of US personnel and a firm deadline for the withdrawal of US forces in the longer term.

The main provisions of the US-Iraqi SOFA were as follows:

- United States Forces will be present in Iraq at the request of the Iraqi government, for the purposes of "supporting Iraq in its efforts to maintain security and stability in Iraq, including co-operation in the conduct of operations against al Qaeda and other terrorist groups, outlaw groups and remnants of the former regime".
- All military operations will be conducted with the agreement of the Government of Iraq and fully co-ordinated with the Iraqi authorities. The co-ordination of all military operations will be overseen by a Joint Military Operations Coordination Committee which will be established. Any issues relating to military operations that cannot be resolved by the JMOCC will be forwarded to the Joint Ministerial Committee for a decision. The Parties to this agreement shall however retain the right to legitimate self defence as defined in applicable international law.
- All US forces will withdraw from Iraqi territory no later than 31 December 2011. US combat forces will withdraw from Iraqi cities, villages and localities no later than the time at which Iraqi Security Forces assume responsibility for security in a given Iraqi province and by 30 June 2009 at the latest. However US forces can be withdrawn from Iraq at any time and the Iraqi government retains the right to request the departure of US forces from Iraq at any time.
- Surveillance and control of Iraqi airspace shall transfer to Iraqi authority on 1 January 2009. However temporary support to the Iraqi authorities in the surveillance and control of its airspace may be requested from US forces.
- Iraq shall have the right to exercise jurisdiction over US military personnel and any civilian employed by the Department of Defense for "grave premeditated felonies"

¹¹ "Iraqis condemn American demands", *Washington Post*, 11 June 2008

¹² *ibid*

¹³ "Iraqi PM suggests timetable for US troop withdrawal", *The Financial Times*, 8 July 2008

when they are committed outside of designated US military facilities and while those personnel are off duty. However, the Government of Iraq has agreed to exercise jurisdiction in these matters only after it has determined, and notifies the US in writing within 21 days of the discovery of an alleged offence, that it is of particular importance that such jurisdiction be exercised.

- Offences committed either by personnel who are on duty, albeit outside of designated US military facilities, or personnel inside those facilities at all times will remain under the jurisdiction of the United States. Any US military personnel or DoD civilian arrested or detained by the Iraqi authorities shall be handed over to US Forces authorities within 24 hours, although such persons will be made available to the Iraqi authorities for the purposes of investigation and trial.
- Iraq shall have jurisdiction over US contractors and their employees at all times.
- Provisions determining jurisdiction shall be reviewed every six months.
- US forces may not arrest or detain any individual with the exception of those operations approved by the JMOCC. Such persons must be handed over to the Iraqi authorities within 24 hours.
- Those detainees being held in US military custody and who are wanted by the Iraqi authorities will be turned over to their custody pursuant to a valid arrest warrant. All other remaining detainees shall be released unless otherwise requested by the Iraqi government.
- Upon entry into force of this agreement the Iraqi government will have full responsibility for the Green Zone.

The Strategic Framework Agreement also made it clear that:

The United States shall not use Iraqi land, sea and air as a launching or transit point for attacks against other countries; nor seek or request permanent bases or a permanent military presence in Iraq.¹⁴

Copies of the SOFA and the Strategic Framework Agreement texts are available online at:

http://www.mnstci.iraq.centcom.mil/docs/SE_SOFA.pdf

http://www.mnstci.iraq.centcom.mil/docs/SFA%20FINAL%20AGREED%20TEXT%20_US_%2016%20Nov%202030.pdf

The Iraqi Parliament voted to accept the deal on 27 November 2008, albeit after linking approval of the agreement to several promised political reforms and a public referendum on the arrangements by the end of July 2009. Those agreements were subsequently ratified by the Iraqi Presidential Council and took effect on 1 January 2009.

That referendum has yet to take place, however, after the Iraqi government and Parliament failed to introduce and approve the required legislation in time for the July 2009 deadline. It had been hoped that the referendum would subsequently take place on the same day as the Iraqi Parliamentary elections in March 2010, although that did not come to pass either.

¹⁴ *Strategic Framework Agreement for a Relationship of Friendship and Co-operation between the United States of America and the Republic of Iraq*

Several analysts have suggested that Iraqi legislators have now quietly shelved plans for a referendum, given that the majority of US combat forces are due to withdraw in a few months time. However, that move has also been met with criticism since the holding of a referendum was subject to a vote in the Iraqi Parliament in November 2008 and subsequently became law.¹⁵

3.2 The Obama Withdrawal Strategy

As outlined above, US forces have the legal authority to remain in Iraq until December 2011. However, the US-Iraqi agreement on the status of forces also provides the US with the ability to fully withdraw its troops “at any time” should it desire to do so. That agreement was concluded during the last months of the administration of George W. Bush and provides the legal framework for the presence of US forces in the country. The process by which the US sets out to draw down its forces by the end of 2011, and the pace and scale of that withdrawal, has subsequently been determined by President Obama.

Prior to his election Barack Obama was a consistent advocate for the withdrawal of US forces from Iraq and establishing a clear focus on political outcomes. Upon entering office, he therefore initiated a comprehensive review of US strategy in Iraq, which concluded at the end of February 2009. In a speech to Camp Lejeune Marine Corps Barracks President Obama set out his plans for *Responsibly Ending the War in Iraq*. He stated:

The first part of this strategy is [...] the responsible removal of our combat brigades from Iraq. As a candidate for President, I made clear my support for a timeline of 16 months to carry out this drawdown, while pledging to consult closely with our military commanders upon taking office to ensure that we preserve the gains we’ve made and protect our troops. Those consultations are now complete and I have chosen a timeline that will remove our combat brigades over the next 18 months.

Let me say this as plainly as I can: by August 31, 2010 our combat mission in Iraq will end [...]

After we remove our combat brigades, our mission will change from combat to supporting the Iraqi government and its security forces as they take the absolute lead in securing their country. As I have long said, we will retain a transitional force to carry out three distinct functions: training, equipping and advising Iraqi Security Forces as long as they remain non-sectarian; conducting targeted counter-terrorism missions; and protecting our ongoing civilian and military efforts within Iraq. Initially this force will likely be made up of 35-50,000 US troops.

Through this period of transition, we will carry out further redeployments. And under the Status of Forces Agreement with the Iraqi government, I intend to remove all US troops from Iraq by the end of 2011.¹⁶

In the first instance, the Pentagon revealed that the number of US combat brigades in Iraq would be reduced from 14 to 12 within the first six months, cutting the number of US forces in the country by 12,000 to 128,000. As per the status of forces agreement US forces were withdrawn from Iraqi cities, villages and localities at the end of June 2009; while US forces outside of these urban areas have continued to conduct operations with the ISF, focusing on securing Iraqi borders and other rural areas. A number of US forces have remained in the cities in an advisory capacity and to support civilian efforts led by the Government of Iraq, the US mission and the United Nations.

¹⁵ <http://www.niqash.org/content.php?contentTypeID=75&id=2631&lang=0>

The change of focus for the US mission in Iraq over the longer term has also been reflected in the nature of the brigades that are being rotated into theatre to replace forces that have reached the end of their tour of duty. In autumn 2009 the US deployed the first of its 'advisory and assistance brigades' which will be the size of a standard brigade combat team, albeit reconfigured to include more officers serving as advisors and more engineering, military police, civil affairs, transportation and other capabilities to support the training and mentoring mission. On deploying these forces the Pentagon commented that "it's the right way to go as we move from counterinsurgency and full-spectrum ops to our strategy of being done with combat operations for US forces in August 2010" and that "the AABs represent a mindset as well as a mission".¹⁷

In October 2009 the US Commander in Iraq, General Odierno, confirmed that a further brigade would be withdrawn from Anbar province by the end of that month; a move that many analysts regarded as an acceleration of the withdrawal strategy. However, General Odierno stated that "the decision to accelerate the withdrawal was based primarily on security improvements in Anbar province, where two brigades had been stationed" and that it would mark "a deliberate transition of responsibilities to the Iraqi security forces".¹⁸ The move reduced the US contingent in Iraq to approximately 120,000 personnel.

However, concerns have been expressed that President Obama's timeframe for the withdrawal of combat troops could shift toward the end of 2010, or even in to 2011, if the security situation on the ground in Iraq worsens and the ISF struggle to maintain control over security. Although violence in Iraq fell throughout the 2008 and the first half of 2009,¹⁹ since US forces withdrew from Iraqi cities at the end of June a series of bomb attacks against government ministries and several civilian targets in August,²⁰ October and on 8 December 2009 left hundreds of ISF personnel and Iraqi civilians dead and wounded; sparking fears of a resurgence of violence ahead of the parliamentary elections in 2010. Indeed, the attacks in December took place on the day that national parliamentary elections for Iraq were announced. The attacks have raised questions as to whether the Iraqi Security Forces have been infiltrated by al-Qaeda-backed insurgents after it emerged that more than 60 members of the ISF had been arrested in connection with the bombings in October;²¹ and whether they are capable of maintaining security in the longer term. However, as an article in *The Independent* noted in December:

Although the government and its critics have both claimed that the security forces have been infiltrated, suicide bombings are very difficult to prevent and US troops were unable to stop far more numerous bombings when they were in control of Baghdad [...]

The bombings show that al-Qa'ida, while not the force it was, still has the ability to pool its resources and co-ordinate spectacular attacks such as the one yesterday.²²

Post-Election Violence

Al-Iraqiya, the secular party led by Ayad Allawi, a former interim Prime Minister, won the Parliamentary elections on 7 March 2010 by a margin of two seats, potentially setting the

¹⁶ Remarks of President Obama, 27 February 2009

¹⁷ "New brigades represent new mission in Iraq", *American Forces Press Service*, 11 September 2009

¹⁸ "US accelerates Iraq withdrawal", *Jane's Defence Weekly*, 7 October 2009

¹⁹ Department of Defense, *Measuring Security and Stability in Iraq: Report to Congress*, September 2009

²⁰ See for example "Scores dead as Baghdad rocked by series of massive explosions", *The Times*, 19 August 2009

²¹ "Iraq security in the spotlight", *BBC News Online*, 29 October 2009

²² "127 dead as bombers aim for heart of government", *The Independent*, 9 December 2009

stage for a protracted period of political uncertainty and to some observers, possible violence. Following the results, US General Ray Odierno, commented “as I look today, we think we’re on track to be down to 50,000 [by 31 August 2010] and there’s nothing today that tells us that we don’t think the Iraqis will be able to form this government in a peaceful way”.²³

However, a series of bomb attacks in the aftermath of the election, which have left hundreds of civilians dead, have led many to question whether the US timeframe for withdrawal could indeed be undermined. When President Obama set out the approved timeframe to withdraw by 31 August 2010, it was based on the assumption that a newly elected government would be in place by the time US Forces returned home. The delay in approving the election result means that it may be months, however, before the next government is formed.²⁴ Ben Rhodes, a deputy national security adviser to President Obama, confirmed that “we see no indications now that our planning needs to be adjusted. We did anticipate an extended period of government formation,” and recent Iraqi-led missions that have killed leaders of Al Qaeda in Iraq show “their growing capacity to provide for security, which of course is critical to ending our combat mission at the end of August”.²⁵

In the longer term, and should the security situation worsen, any requirement for US forces to remain in Iraq beyond the end of 2011 would require a re-negotiation of the SOFA, which would in turn require the approval of the Iraqi Parliament. Indeed Anthony Cordesman of the Center for Strategic and International Studies argued in November 2009 that there is:

a strong case for [...] a strong and integrated civil-military effort in the US country team in Iraq after 2011 that will continue to help Iraqi forces improve once US forces withdraw.

The current levels of violence remain too high for the US to simply carry out a “responsible withdrawal,” and go to a “normal embassy” in 2012. The US will need to create strong military and State Department advisory teams to help Iraq’s armed forces, police forces, and security forces continue to improve. It will need to continue to provide aid to develop Iraqi forces, and make significant transfers of the military equipment now in Iraq. It will need to sustain aid in improving Iraq’s rule of law, and in improving the quality and sustainability of Iraqi forces at least through 2014 – and probably for years in the future. Such efforts will be comparatively cheap relative to past US spending in Iraq, and the alternative is to lose the victory through neglect.²⁶

²³ “America to withdraw troops in wake of Iraq vote”, *Telegraph Online*, 8 March 2010

²⁴ Background to the Iraqi election is available in Library Standard Note SN/IA/5380, [The Parliamentary Election in Iraq, March 2010](#)

²⁵ “Obama Sticks To A Deadline In Iraq”, *New York Times*, 28 April 2010

²⁶ Anthony Cordesman, *Iraq: Security Trends*, 18 November 2009