Leveraging the U.S. Presence in Iraq after 2011

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Oct 25, 2011

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Brief Analysis

Once the military withdrawal is complete, Washington will need to tread gently on Iraqi sensitivities, shrug off snubs, and broaden the range of international voices capable of positively influencing Baghdad.

On October 21, President Obama sought to draw a rhetorical line under America's military involvement in Iraq and announce "a new phase" in the bilateral relationship. Yet the reality is that Iraqis will not be able to neatly separate their experience of occupation from their future dealings with the United States. Instead, they will likely continue to exhibit many of the characteristics of a newly independent postcolonial state, such as headstrong rejection of some American advice or assistance and bouts of hypernationalism. Although the president declared that January 1, 2012, would signal the beginning of "a normal relationship between sovereign nations," the relationship will be anything but normal for years to come. To achieve U.S. objectives in Iraq -- which the president identified as stability, security, and self-reliance -- Washington will need to tread gently on local sensitivities, shrug off frequent snubs, and broaden the range of international voices capable of positively influencing the Iraqi government.

U.S. Presence in 2012

President Obama cited December 31, 2011, as the moment when "the last American soldiers will cross the border out of Iraq," but the reality is more complicated. In fact, small numbers of U.S. military personnel will remain there under Chief of Mission authority (i.e., as diplomats under the U.S. ambassador, a status outlined in Section 3927, Title 22, of the U.S. Code).

The U.S. government presence in Iraq may be a large one, comprising around 16,000 personnel, according to the State Department Iraq transition coordinator's office. Of this total, around 14,000 personnel will be contractors,

including some 4,000-5,000 armed security contractors tasked with protecting the mission. Given Baghdad's rejection of U.S. military trainers operating outside Chief of Mission authority, security assistance efforts will be limited to the following:

- *Office of Security Cooperation-Iraq (OSC-I).* This office will tentatively include 157 Defense Department personnel, 763 contractors working on Special Assistance Teams (SATs), and support staff. The OSC-I's mission is to "advise, train, assist, and equip" Iraq's security forces. The Pentagon personnel will focus on mentoring Iraqi leaders, building institutional capacity in the security ministries, and administering Iraq's extensive procurement of U.S. military equipment under the Foreign Military Sales program, as well as the transfer of excess U.S. military equipment to Iraq. The SATs will support individual Iraqi defense procurement contracts. The number of SAT personnel could rise if Iraq procures more U.S. arms in the future.
- *International Narcotics and Law Enforcement (INL).* The State Department's INL program will deploy around 1,200 police trainers into Iraq.

Risks of Ongoing Presence

Beginning in 2012, OSC-I will maintain one "enduring site" at the embassy in Baghdad, along with satellite offices in Tikrit (focusing on air force issues), Umm Qasr naval base (naval affairs), Taji National Logistics Center, and Besmaya Training Center that will remain in service until at least 2015. OSC-I may also post staff at State Department offices in Basra, Irbil, and Kirkuk, as well as Sather Air Base (part of Baghdad International Airport) and the Iraqi Interior Ministry. In addition, the State Department is planning to base police advisory teams at three training colleges in Basra, Irbil, and Baghdad. These personnel would also conduct regular visits to as many as twenty-eight police offices in ten provinces.

Yet even this scaled-down U.S. presence will present numerous challenges to both governments in the coming years. First, the necessity for land and air movements between the above bases will create significant security challenges. More broadly, the failure to conclude a new Status of Forces Agreement (SOFA) agreement with Iraq leaves the 2008 Strategic Framework Agreement as the overarching basis for OSC-I's activities -- a situation that could raise hurdles for on-the-ground personnel and even give rise to diplomatic crises.

According to the Government Accountability Office, full-time Pentagon military and civilian personnel working for OSC-I "can be accredited to the diplomatic mission as administrative and technical staff, with some status protections such as privileges and immunities provided under the Vienna Convention on Diplomatic Relations." Although Prime Minister Nouri al-Maliki has publicly backed this option, other Iraqi voices -- including some of Maliki's closest advisors -- are less supportive. On October 16, for example, Maliki aide Sami al-Askari stated that OSC-I should be limited to "just 200, or 300" U.S. personnel, according to Reuters.

Indeed, the lack of a new security agreement allows plenty of room for Iraqi nitpicking. For instance, the 2008 agreement defines "United States forces" that must be withdrawn as the "entity comprising the members of the United States Armed Forces, their associated civilian component, and all property, equipment, and materiel of the United States Armed Forces present in the territory of Iraq." And the Vienna Convention on Diplomatic Relations gives host nations the right to be notified about all personnel appointed to foreign missions, as well as the right to prohibit foreign military personnel from carrying guns or wearing uniforms. Many State Department personnel are already harassed at Baghdad checkpoints, while others suffer the temporary detention of convoys and occasional impounding of equipment, so the potential for diplomatic setbacks and legal crises after 2011 is high.

Opponents of a U.S.-Iraqi strategic partnership -- especially the Iranian government and Muqtada al-Sadr -- would welcome regular spats between Baghdad and the U.S. embassy. In fact, they may seek to foment such incidents through their proxies within the armed forces and security ministries. The usual remedy for such issues -- a clear-

cut, mutually signed SOFA -- may not be available for some years due to the postoccupation sensibilities of Iraqi leaders and their constituencies, stoked by Iran's proxies. Instead, the best -- maybe the only -- way to build consensus for true normalization of relations is to patiently endure the sticks and stones of the coming years and make do with informal agreements, while incessantly working to counter Iranian influence.

In doing so, the State Department-led mission can draw useful lessons from the U.S. military's adaptation to challenges in recent years, such as restrictions on American military movement within Iraqi cities after the June 30, 2009, end to unilateral U.S. patrols. The parties have a history of finding compromise solutions for most problems; what matters most is that the post-2011 security assistance mission does not stumble early on due to unintended or intentional challenges to the OSC-I and INL programs.

Recommendations for U.S. Policy

Washington kept the offer of extending the U.S. military presence on the table until just a week before the president's October 21 speech. Given that Obama came to office promising to end the Iraq intervention, this offer shows the seriousness of U.S. commitment to Iraq. In addition to the "sunk costs" of 4,482 fatalities and more than a trillion dollars spent, the administration recognizes that the United States has other equities in Iraq that are worth paying a political cost to protect.

First, Iraq remains a test of American character and resolve on the global and regional stages: if the stabilization effort can be carried to fruition, Washington will have shown that it can support its allies and make good on its promises. Second, Iraq is key terrain in the developing cold war between Iran and America's Arab and Kurdish partners in the region. U.S. engagement with Baghdad gives Iraq's leaders a counterweight to Iranian influence. Third, Iraq is a potential energy behemoth whose stability is vital if global energy markets are to continue meeting demand.

Accordingly, bilateral relations must overcome the near-term hurdles caused by the emotional hangover of occupation, which stirs up complicated and intense feelings even among some of America's strongest advocates in Iraq. Broadening the involvement of like-minded international partners is one means of working toward U.S. objectives at a time when American advice may not always be well received.

For example, the NATO Training Mission-Iraq involves twenty-three alliance members supporting professional military education inside the country under the aegis of UN Security Council Resolution 1546. This mission could be expanded, principally with non-U.S. personnel.

Turkey's successful engagement with Iraq could also provide key lessons about adapting to become the ally that the country wants and needs. Ankara won many Iraqis over by making it easier for them to visit Turkey and encouraging widespread Turkish business engagement in Iraq. Washington should facilitate Ankara's growing role as a political and economic counterweight to Iranian influence, as well as encourage joint U.S.-Iraqi-Turkish economic ventures.

The United States might also benefit from supporting Baghdad's urgent desire to reenter the community of nations, for example, by backing an Iraqi request to serve as a nonpermanent member of the UN Security Council. Finally, on the educational front, the U.S. government should sustain its essential support for institutions such as the American University of Iraq, and perhaps encourage the loosening of visa restrictions on Iraqi students to regional hubs such as Egypt, Qatar, and the United Arab Emirates, where they can access high-quality U.S. facilities.

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