

# Negotiations continue over long-term US presence in Iraq

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Negotiations are continuing between the Bush administration and the Iraqi government of Prime Minister Nouri al-Maliki on the terms of a Status of Forces Agreement (SOFA) governing the ongoing presence of US troops in Iraq. The two governments are also formulating the wording of a “Strategic Framework” agreement, which will detail a long-term military relationship involving some form of US defence guarantee to Iraq and, in return, access to bases and facilities.

The pacts are central to Iraq serving as an American client-state into the indefinite future. The aim of the 2003 invasion was not only to put the country’s oil and gas resources under US domination, but to establish a large military footprint in the heart of the Middle East. Over the past five years, the US military has spent billions of dollars on constructing massive bases in Iraq. Among the most geopolitically significant is the Balad airbase, 70 kilometres north of Baghdad. It has a garrison of some 25,000 military and civilian personnel, hosts hundreds of planes and helicopters and has two upgraded runways capable of landing heavy B-2 bombers.

Bush and Maliki agreed earlier this year to conclude a SOFA by July 31. The agreement would cover such issues as the role and rights of the US military after the present United Nations mandate expires on December 31. The UN resolution gave a veneer of legitimacy to the US occupation, allowing its forces unlimited access to Iraqi land, air and territorial waters, the right to detain Iraqi citizens and immunity from prosecution under Iraqi law.

The inability of the two sides to reach agreement, despite the approaching deadline, stems from the resistance of Maliki and the Shiite parties that dominate his government to signing a pact that grants the US the

same type of extensive powers.

The US occupation is hated by the overwhelming majority of the Iraqi people, who want it to end. More than one million Iraqis have been killed, either at the hands of the occupation forces or as a result of the sectarian tensions fomented by US policy. Millions more have been maimed or turned into refugees. The country’s infrastructure has been devastated, tens of thousands of homes and businesses destroyed and much of its cultural heritage damaged or lost.

For more than five years, Iraqis have lived as virtual prisoners, trapped behind concrete walls, confronted at checkpoints and lorded over by heavily-armed soldiers and contractors who do not speak their language and shoot on the slightest pretext. Hundreds of thousands of people have been subjected to humiliating raids, searches or detentions.

The governing Shiite parties—the Islamic Supreme Council in Iraq (ISCI) and Maliki’s Da’wa Party—along with the Kurdish nationalist parties, gained power as a result of the US invasion and support an ongoing US military presence in Iraq. They cannot, however, simply ignore mass sentiment and sign off on whatever is demanded by the Bush administration. Initial US drafts of a SOFA, which gave the US jurisdiction over 58 bases and Iraqi air space, the right to detain Iraqis and legal immunity for American soldiers and contractors, were rejected.

The Iraqi government is acutely aware that it will be held responsible for any blatantly neo-colonial agreement. In the short-term, provincial elections are due to be held in October, and ISCI and Da’wa want to entrench their control over the nine majority Shiite provinces in the south. They do not want their campaign to be derailed by accusations that they agreed to Iraq’s transformation into a US colony. Grand

Ayatollah Ali al-Sistani, the leading cleric in Iraq and a supporter of ISCI, is believed to have urged the Shiite leadership not to agree to any pact that could be portrayed in such a way.

Over the past month, negotiations have focussed on formulations allowing the Iraqi government to claim some form of sovereignty and independence from Washington. The chief sticking point appears to be the refusal of the Bush administration to agree to a binding deadline for US troops to cease combat and policing operations in the country. Washington has insisted on the open-ended formulation of “when conditions of the ground permit”.

Last Monday, Maliki hinted that the US and Iraq would unveil a non-binding “memorandum of understanding” instead of a formal SOFA. On a visit to the United Arab Emirates, he announced: “The current trend is to reach an agreement on a memorandum of understanding either for the departure of the [US] forces or a memorandum of understanding to put a timetable on their withdrawal. In all cases, the basis for any agreement will be respect for Iraqi sovereignty.”

The following day, his national security advisor Muwaffaq al-Rubaie told a press conference in Najaf: “We would not accept any memorandum of understanding that has no obvious and specific dates for the foreign troops’ withdrawal from Iraq.”

In sections of the international media, Maliki’s and Rubaie’s references to “withdrawal” have been taken literally to mean the complete withdrawal of American personnel from Iraq. However, Ali al-Adeeb, a close advisor of Maliki, explained to the Associated Press what actually is being proposed. After the Iraqi military and police have taken over security responsibility for all 18 Iraqi provinces, most likely by the middle of 2009, Maliki is proposing that US forces withdraw from the country’s population centres. But a reduced American force would remain in heavily fortified “joint” US-Iraqi bases such as Balad, until such time as the Iraqi government decided that the security situation no longer required US assistance—in other words, indefinitely.

Leaks about the proposed understanding indicate that it would provide American troops with ongoing legal immunity, as they have in virtually every other country where they are stationed. The US would have the right to use Iraqi air space until such time as the virtually non-

existent Iraqi air force was capable of defending its skies. The US military would be able to undertake operations inside the country in “consultation” with the Iraqi government and armed forces. Civilian contractors, however, would be stripped of their immunity, most likely leading to an exodus of the much-hated mercenaries operating in Iraq.

In the lead up to provincial elections, Da’wa and ISCI hope to be able to campaign as the parties that secured a “timetable” for the withdrawal of US troops. By negotiating an “understanding” rather than a formal agreement, Maliki may be trying to avoid putting the document before the Iraqi parliament. Under the Iraqi constitution, any international treaty must be endorsed by a two-thirds majority. Well over a third of the parliamentarians have indicated they would reject any pact that includes immunity for foreign troops.

Representatives of the Bush administration have signalled that they are prepared to go along with Maliki’s plan. It does not in any way threaten the main American objective, which is permanent use of the main bases it has constructed in Iraq.

State Department spokesman Gonzalo Gallegos told a press conference: “The US government and the government of Iraq are in agreement that we, the US government, want to withdraw, we will withdraw. However that decision will be condition-based.” White House spokesman Tony Fratto stated: “The prime minister is reflecting a shared goal that we have, which is that as the Iraqi forces become a more self-reliant force, we’ll see reductions in US forces.”

US General James Dubik testified to the Armed Services Committee last week that most of the army brigades in the country will not be needed by the middle of next year and the US will be able to substantially reduce the number of troops in Iraq. It will maintain both a major air force deployment and ground units.



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