



ASSISTANT SECRETARY GENERAL FOR POLITICAL AFFAIRS AND SECURITY POLICY
LE SECRÉTAIRE GÉNÉRAL ADJOINT POUR LES AFFAIRES POLITIQUES ET LA POLITIQUE DE SÉCURITÉ

PASP(2012)0443

15 May 2012

Dear Ambassador Jeffrey,

I refer to discussions regarding the offer by the United States to facilitate the presence of a NATO Transition Cell ("Cell") in Iraq for the purpose of assisting Iraq's assumption of joint leadership of the coordination and planning of the NATO-Iraq partnership, and in that context I propose the following arrangements.

The Cell will consist of approximately five staff members from NATO Allies other than the United States, who will form part of the diplomatic staffs of their respective embassies in Baghdad and may be entitled to diplomatic privileges and immunities as members of those diplomatic missions. These staff members will be designated by their respective embassies, and their names provided to the U.S. Embassy. An additional member of the cell may be provided from the NATO Headquarters International Staff. Further staff members may be engaged locally to serve as, for example, interpreters and assistants; such individuals are to be subject to security vetting and clearance by the U.S. Embassy. It is expected that the Cell's staff will coordinate, as appropriate, with the U.S. Embassy on matters of mutual interest. It is expected that the Cell will be initially housed and have its offices in the U.S. Embassy's Military Attaché and Security Assistance Annex (EMASAA) in Baghdad. It is expected that the staff of the Cell will have direct access to the Cell's offices and common-use areas on the EMASAA (including housing, dining, and physical fitness areas), but will not pass through or have uncontrolled access to any secure U.S. offices or office areas.

The Cell will have no independent status vis-à-vis the Government of Iraq, but rather will be considered and operate as an informal coordinating mechanism for practical cooperation and coordination with the Iraqi authorities. The head of the Cell will speak authoritatively on behalf of NATO on matters relating to its work and communicate directly with NATO Headquarters on NATO matters relating to the Cell's activities.

It is expected that the housing and offices of the Cell will be within the EMASAA security perimeter and will not be physically accessible without passing through the U.S. Embassy security cordon. It is expected that the Cell's housing and offices will be clearly distinct from the housing and offices of members of the staff of the U.S. Embassy, and the Cell's housing and offices will not be considered part of the premises of the U.S. Embassy. The United States recognizes that NATO may at any time decide to remove or terminate operation of the Cell, and NATO recognizes that the United States may at any time require the Cell's relocation to a different place within the U.S. Embassy's security perimeter.

The Cell is to be provided with facilities to secure its documents, as well as direct unclassified access to NATO Headquarters through the Internet.

It is expected that the U.S. Embassy will provide the following support for the Cell:

- (a) housing and office space that will be co-located with but clearly distinct from EMASAA;
- (b) communications equipment and services, including computers and telephones;
- (c) static security incident to the Cell's location within the EMASAA security perimeter;
- (d) office furniture and supplies;
- (e) vehicle usage, equipment, parts, fuel, petroleum supplies, maintenance and repair services;
- (f) food at the EMASAA dining facility, consisting of three meals a day plus snacks;
- (g) power/electricity for office, recreational, and living spaces;
- (h) "life support" consisting of all on-site amenities including the exchange service (in accordance with the exchange service policy of the United States Embassy in Baghdad), gym, and morale, welfare and recreation facilities;
- (i) certain emergency medical care and medical evacuation services (i.e. services to treat potentially life threatening conditions, and medical evacuation ("medevac") services and transportation between the International Zone and the Diplomatic Support Hospital at the Baghdad Diplomatic Support Center (BDSC) operated by the U.S. Embassy);
- (j) flights on Embassy Air fixed- and rotary-wing aircraft on a space available basis; and

- (k) any other services and commodities requested by NATO that the United States agrees to provide.

It is expected that NATO will assume all costs, of supporting the staff of the Cell and making the office and housing space sufficiently distinct, including all costs for the support items (a) through (k) listed above. It is expected that NATO and the United States will develop further arrangements addressing the technical details of the Cell's presence on EMASAA including services to be provided to the Cell, reimbursement for such services, and coordination of security. The United States is not expected to provide movement security for Transition Cell personnel.

Recognizing that costs may increase, the per-person cost incurred for a six-month period at EMASAA for support listed at items (a)-(h), above, is estimated to be \$32,330.00 for personnel living and working at EMASAA, and \$25,716.00 for personnel working but not living at EMASAA. If these estimated costs to the United States change, it is expected that the United States would notify NATO in writing. Emergency medical care, medical evacuation services, travel on Embassy Air fixed- or rotary-wing aircraft on a space available basis, and any other services and commodities requested by NATO that the United States agrees to provide (items (i)-(k), above) have an additional, per-use cost and are not included in the above figure. Both Parties recognize that costs may increase, but it is understood that these costs are not expected to increase within the six-month period of operation contemplated in this Agreement, unless the Cell moves to a different location.

I propose that this letter and your reply indicating the acceptability of these arrangements to the United States constitute an understanding between NATO and the United States to become effective on the date of your reply and to remain effective for a period of six months. That period may, however, be modified by further arrangement between NATO and the United States. This understanding does not impose, nor is it intended to impose, any legal commitments on NATO or the United States.

NATO looks forward to working closely with the United States, and in particular the U.S. Embassy in Baghdad, to facilitate Iraq's assumption of joint leadership of the coordination and planning of the NATO-Iraq partnership.

Sincerely,


Dirk Brengelmann
Ambassador

H.E. Mr James F. Jeffrey
Ambassador
Embassy of the United States of America
Baghdad
Iraq



Embassy of the United States of America
Baghdad, Iraq

May 16, 2012

His Excellency
Ambassador Dirk Brengelmann
Assistant Secretary General
Political Affairs and Security Policy
North Atlantic Treaty Organization

Your Excellency:

Thank you for your letter of May 15, 2012, concerning the offer by the United States to facilitate the presence of a NATO Transition Cell in Iraq.

I am pleased to confirm that the arrangements specified in your letter of May 15, 2012, are acceptable to the United States. Accordingly, our exchange of letters constitutes an understanding between the United States and NATO that is effective as of the date of this reply letter. This understanding remains effective for a period of six months, subject to any modification by further arrangement by the United States and NATO.

I look forward to the arrival of the Transition Cell members.

Sincerely,

A handwritten signature in black ink, appearing to read 'James F. Jeffrey', written over a printed name and title.

James F. Jeffrey
Ambassador