

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)  
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 6032

2. COW Alliance # (if applicable): N/A

3. Signature date(s) (may vary for members in multilateral alliances):  
November 17, 2008

4. Members of alliance (use COW country codes):  
2 – United States  
645 - Iraq

5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)  
No.

6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select “treaty” if the agreement requires ratification.)  
Treaty

7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.  
Public

8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.  
No.

9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?  
No.

10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.  
Yes.

Phase 1 – SOFA – Article 30.1 – “This Agreement shall be effective for a period of three years, unless terminated sooner by either Party pursuant to paragraph 3 of this Article”

Phase 2 – Strategic Framework – Section XI.2 – “This Agreement shall remain in force unless either Party provides written notice to the other of its intent to terminate this Agreement. The termination shall be effective one year after the date of such notification”

11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.  
Yes.

Phase 1 –

(renounce non-agg) Strategic Framework – Section XI.2 – “This Agreement shall remain in force unless either Party provides written notice to the other of its intent to terminate this Agreement. The termination shall be effective one year after the date of such notification”

(renounce consult) SOFA – Article 30.1 – “This Agreement shall be effective for a period of three years, unless terminated sooner by either Party pursuant to paragraph 3 of this Article” which stipulates that all that is required is written notification.

Phase 2 - Strategic Framework – Section XI.2 – “This Agreement shall remain in force unless either Party provides written notice to the other of its intent to terminate this Agreement. The termination shall be effective one year after the date of such notification”

12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.  
No

13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):  
N/A

14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):

Phase 1 – December 31, 2011 with the expiration of the Status of Forces Agreement

Phase 2 – Ongoing.

15. Describe what caused the alliance to terminate.

The United States and Iraq attempted to negotiate a new version of the Status of Forces agreement which would allow the United States to keep some forces in Iraq. No new agreement was signed, and U.S. forces completed their withdrawal from Iraq in December of 2011.

## SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)

Phase 1 – Nonaggression and Consultation

Phase 2 – Nonaggression

17. Type of alliance as coded in COW data (if applicable):

N/A

18. Describe the obligations of the alliance partners.

Phase 1 –

Nonaggression: Strategic Framework Section I.1 –“ ...to establish the course of the future relationship between the two countries as follows: A relationship of friendship and cooperation is based on...rejection of the use of violence to settle disputes”

Consultation: SOFA – Article 27.1 – “In the event of any external or internal threat or aggression against Iraq that would violate its territorial integrity, waters, airspace, its democratic system, or its elected institutions, and upon request by the Government of Iraq, the Parties shall immediately initiate strategic deliberations and, as may be mutually agreed, the United States shall take appropriate measures including diplomatic, economic, or military measures, or any other measure, to deter such a threat.”

Phase 2 –

Only Nonaggression from Strategic Framework.

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners?

Yes.

Phase 1 - Consultation is contingent upon request by Iraq, and it is also limited to threats to Iraq (specific location).

Phase 2 – Nonaggression is not contingent.

20. Describe the nature of the limits to obligations listed in #19.

None

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

No

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

Yes.

Phase 1 & 2 – Framework – Section I.4 – “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 base in Iraq.”

Phase 1 reiterates – SOFA – Article 27.3 – “Iraqi land, sea, and air shall not be used as a launching or transit point for attacks against other countries”

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

No.

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.  
No. Phase 1 – Consultation is not symmetric. Must be requested by Iraq.

Phase 2 is symmetric – the non-aggression obligation applies equally to both partners.

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.  
No.

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.  
No.

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.  
No.

28. Additional coder comments regarding treaty obligations:

Phase 1 and 2 – Section I.4 – “The United States shall not...seek or request permanent bases or a permanent military presence in Iraq”

### SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

Yes. Phase 1 & Phase 2 –

Strategic Framework – Section I.1 – “rejection of the use of violence to settle disputes”

Section IX.2a – “The Parties shall seek to establish additional Joint Coordination Committees as necessary...to assist in dispute resolution as necessary”

Section IX.3 – “Disputes that may arise under this Agreement if not resolved within the relevant JCC, and not amendable to resolution within the HCC, are to be settled through diplomatic channels”

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.  
No.

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.)

Yes.  
Phase 1 – SOFA – Article 4.2 – “The coordination of all such military operations shall be overseen by a Joint Military Operations Coordination Committee to be established pursuant to this agreement.”

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.  
Yes.

Phase 1 – SOFA – Article 27.2 – “The Parties agree to continue close cooperation in strengthening and maintaining military and security institutions...including, as may be mutually agreed, cooperation in training, equipping, and arming the Iraqi Security Forces, in order to combat domestic and international terrorism and outlaw groups, upon request by the Government of Iraq.”

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe.  
No.

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe.  
No.

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.  
Phase 1 - Yes

Phase 1- SOFA Article 4.2 – “coordination of all such military operations shall be overseen by a Joint Military Operations Coordination Committee to be established pursuant to this agreement.” The status of force agreement then goes on to stipulate the operation of this committee.

Phase 2 - No

## Phase 2 - No

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.

Yes. Phase 1 & 2 – Strategic Framework – Section I.3 – “The temporary presence of U.S. forces in Iraq is at the request and invitation of the sovereign Government of Iraq and with full respect for the sovereignty of Iraq.

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.

No.

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions.

No.

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference.

No.

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe.

No.

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe.

Yes. Phase 1 – SOF – Article 24.1 – “All the United States Forces shall withdraw from all Iraqi territory no later than December 31, 2011”

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe.

No.

43. Additional coder comments regarding references to alliance institutionalization:

No.

## SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

No.

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference.

No.

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.

No.

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

Yes, Phase 1 and Phase 2.

UN –

Article 35 of the SOF in Phase 1 is entirely about taking concrete measures to terminate the application of Chapter VII authorization from the UN Security Council Resolution.

Phase 2 also has contains language that mentions the UN Security Council resolution (Preamble) and various UN working groups (Compact for Iraq, etc.)

WTO –

Strategic Framework Section V.4 – The US commits to support Iraqi membership in the World Trade Organization.

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the

reference.  
No.

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.  
Yes. The Strategic Framework cites the Status of Forces (SOF) agreement as the mechanism which defense cooperation will be handled through.

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No)  
Yes. Phase 1 & 2 –  
Strategic Framework:  
Political and Diplomatic Cooperation (Section II)  
Cultural Cooperation (Section IV)  
Economic & Energy Cooperation (Section V)  
Health & Environmental Cooperation (Section VI)  
Information Technology and Communications Cooperation (Section VII)  
Law Enforcement and Judicial Cooperation (Section VIII)

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe.  
Yes. Phase 1 – SOF – Article 24 concretely outlines the withdrawal of US forces from Iraq.

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe.  
No.

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe.  
No.

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe.  
No.

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.  
No, but there are a number of provisions that are very vague about the United States “encouraging increased Iraqi agricultural exports” and other promises to assist the Iraqi economic. The clearest enticement appears to be that the US agrees to support Iraqi membership into the WTO when it applies (Section V.4)

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe.  
Phase 1 & 2 – Strategic Framework – Section I.1 – non-interferences in internal affairs is one of the key principles that the US-Iraqi relationship will be built on.

## SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty: Phase 1 and Phase 2 are both based upon the US – Iraq Strategic Framework Agreement, the primary document governing relations between the United States and Iraq. Phase 1 includes the Status of Forces agreement signed on the same day as the Strategic Framework, but expires without renewal after 3 years, thus removing the consultation obligation.

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty

59. Treaty citation:  
Strategic Framework – US State Department: <https://www.state.gov/09-101-1> (Accessed 8/23/19)  
Status of Force Agreement – US State Department Archive: <https://2009-2017.state.gov/documents/organization/122074.pdf> (Accessed 8/23/19)

60. Date of last revision of this coding sheet: 7/7/2020

61. Coder: Nicholas Coulombe, Ashley Leeds