

GRD Co-Hosts Real Property Claims Awareness Training

By Travis Edwards

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BAGHDAD, Iraq - A training and information session on Iraqi Property Law and Real Estate Procedures was held recently at the U.S. Embassy in the International Zone, Baghdad, Iraq.

The training session was jointly hosted by Claims and Fiscal Law attorneys from the Office of the Staff Judge Advocate, Multi-National Corps-Iraq (MNC-I) and Real Estate, Gulf Region Division, U.S. Army Corps of Engineers.

Major subordinate command claims judge advocates, paralegal noncommissioned officers, engineers, and attorneys from several American military and government organizations were in attendance.

“Even those judge advocates and Soldiers who were unable to attend will be able to draw upon the increased knowledge that the participants have taken home with them,” said Capt. Howard Matthews, a judge advocate, Contracting and Fiscal Law Division, MNC-I. “The information will also be posted on the web for later review by authorized DoD users. CDs will be made available upon request.”

According to Flo Jordan, Chief, Gulf Region Division Real Estate, the training session was vital. Land ownership and the payment of claims and leases is such a “complex issue in Iraq due to the varied influences which have all affected how land ownership is defined here.”

“This better understanding of land ownership, deeds, and the processes involved will expedite the execution and payment of claims and leases. Understanding the rights and entitlements of the Iraqi people in regards to their land ownership is important to provide advice to commanders, and further recognition of sovereignty of Iraq as a nation, and strengthening their faith in the rule of law,” she said.

The GRD Real Estate office exists to assist Multi National Forces-Iraq (MNF-I) with the leasing process for new requirements, with the resolution of real estate claims through retroactive leases and with ownership issues for government owned properties. It also maintains real estate records for the majority of the land occupied by the Forward Operating Bases (FOBs), and advises the commander, GRD staff and districts on real estate matters throughout Iraq.

The Foreign Claims Commissions (FCC) at each Major Subordinate Command within MNC-I adjudicate claims under the Foreign Claims Act. The FCCs investigate and compensate claimants for loss caused by noncombat activity of the Armed Forces or by the negligent or wrongful acts of U.S. Forces and civilians accompanying the Force, as defined by law.

The Contracting and Fiscal Law Division of MNC-I provides advice and guidance to the commands and staffs of MNC-I as related to funding operations. They also provide legal advice and guidance to ensure that the command makes informed decisions according to U.S. basing strategy while supporting and encouraging the security and stabilization of Iraq, as well as support its sovereignty and respect the rule of law.

Areas of instruction included the history of Iraqi property law; private vs. public land; claims vs. leases; tactical basing vs. strategic basing; Government of Iraq notification/leasing; and sensing session regarding Foreign Claims Commissions.

“The most important thing we can do is to treat each and every person fairly, honorably and well,” said Capt. Tom Bartleson, Chief of Claims, Multi-National Corps – Iraq. “We want to be sure we explain what we have to deal with and the type of process that must be completed so that no one leaves feeling as though we did not support them.”

The training increased an awareness of the teamwork needed to investigate real estate claims and pay compensation under the Foreign Claims Act, or establish retroactive and future leases for long-term use and occupation of Iraqi land.

“I feel that this training provided the necessary awareness and over-arching connection that I needed to understand my mission better and be more effective for the command,” said lawyer Kalmarie Black, Office of Counsel, GRD. “And I definitely know who I can turn to for guidance and help.”

According to Matthews, participants took away an awareness of the complexity of land ownership in Iraq; and the necessity to understand the issues and process so that the people of Iraq can be paid for the use of their private lands while protecting the interest of the U.S. Government and at the same time providing flexibility for enabling coalition forces to conduct operations.

“We want to be fair, not arbitrary, when we make decisions on claims that affect the lives of many of our Iraqi friends,” Bartleson said.



Claims judge advocates, paralegal noncommissioned officers, engineers, and attorneys from several American military and government organizations were in attendance at training and information session on Iraqi Property Law and Real Estate Procedures recently held at the U.S. Embassy in the International Zone, Baghdad, Iraq. (USACE photo by Travis Edwards)