

# The Kurds and Restructure of Iraqi Army

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## Introduction

In the past days Iraqi government assigned Lieutenant General Abdul-Amir Rashid Yarallah who replaced Othman al-Ghanmi as army Chief of Staff. This is indication of violating constitutional rules in assigning army commanders in Iraq which now has become common behavior.

After Iraqi constitution was drafted in 2005, military commanders in different stages were assigned out of the constitutional principles, instead they have assigned by acting and this was more to achieve political goal that make threats on the system and those values that Iraq was built for after 2003. The army is the most important pillar of state to survive and is a tool to defend state values, therefore most of the states except those dictators and totalitarian are trying to avoid army from any internal conflict. This principal written in Iraqi constitution but practically often the Iraqi army was used for the political goal and in internal conflicts.

### First: Iraqi Constitution Position

According to provision 5 in article (61) of Iraqi constitution one of the competent of Iraqi parliament is to approve " The Iraqi Army Chief of Staff, his assistants, those of the rank of division commander and above, and the director of the intelligence service, based on a proposal from the Council of Ministers."

But since 2006 until present all military commanders were assigned without parliament approval and most of defense ministry positions except the minister, they managed by acting. This is related to the totalitarian view that always want the army stay as political tool to manage conflicts. The Man who was behind this view was former PM Nouri al-Maliki. According to Iraqi constitution article (9) there should be a balance between all components of Iraqi people in the army and this way Iraqi PM will be prevented from misleading the army<sup>[1]</sup>. Always PMs of Iraq avoided to assign commanders through parliament. Current PM Mustafa al-Kadhimi used to be head of national intelligence department for four years without parliament approval. These are all violation of constitution which should be ended, especially MPs should correct this violation of PMs according to constitution as now there is good opportunity for reform and re-regulate state departments.

### Second: The Kurds and restructure of Military Units

Prior arrival of ISIS, Iraq had 21 army squads. The Kurds and other components had senior ranking officials in new Iraqi army. Among 21 squads two of the commanders were Kurd, chief of staff, intelligence and security departments of defense ministry also were Kurd, but now Kurdish position in army is weak. Among 21 squad commanders there is only one Kurdish commander which is commander of squad 20 in Nineveh and out of 7 operations command in Iraq there is no Kurd, and out of 80 brigades in squad commands there are only 5 Kurdish. And among operations command there is only one Kurd with battalion commander rank at the Nineveh operation command. Currently at the defense ministry chief of staff's assistant for training is Kurd as well as director of Intel and security is Kurdish general. All Kurd's positions in army are about less than %2. Before in the beginning of forming Iraq's new army post-Saddam, Kurds had good positions and held several important and sensitive military posts but former PM Abdai removed and replaced them with Shia Arab commanders.

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Another army related issue is establishment of military operations command that for the first time Maliki had started

them, in order to takeover civilian authority of the governorates, he had created operations command independently such Tigers Operation Command and within each governorate created operation command, this was illegal and unconstitutional frame for the army structure and he had made more opportunity for army to control the governorates completely and end civilian authority in the cities. Under Abadi's term some other operation commands were established which now form of military units are completely unconstitutional. For example Kirkuk operation command controls complete security power even governor who is head of the security committee does not have power on what army does. The Saladin operation command took over, the provincial council and other administrative units in the governorate does not have any power over security plan, therefore such military impose is to end civilian authority in the cities should be ended, the army should be restructured on the standard military principal and all commanders should be assigned through parliament as constitution stated.

## **Conclusion**

If the Iraqi army not reset on the standard military principal, and if not prevent it from internal political conflicts, if not inclusive from all components of Iraqi people, and if all commanders not under supervision of parliament, then is likely army will become a tool for political oppression and to be used in conflicts which will result in bringing more ruins and Iraq will be on the absolute brink of collapse.

[1] The Iraqi armed forces and security services will be composed of the components of the Iraqi people with due consideration given to their balance and representation without discrimination or exclusion. They shall be subject to the control of the civilian authority, shall defend Iraq, shall not be used as an instrument to oppress the Iraqi people, shall not interfere in the political affairs, and shall have no role in the transfer of authority