

How Politicians (Arabs and Kurds) altered the 2005 Iraqi Constitution

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Judge Wael Abdul Latif, former governor of Basra and member of the 2005 Iraqi Constitutional Drafting Committee appeared on a special program on i24 News (rerun-ed yesterday).

Judge Abhul Latif said that the Iraqi original constitution that the drafting committee studied and approved consisted of 139 articles ONLY, which they submitted for final voting. However, the secondary mini committee added five additional articles that the committee was not aware of.

The last 5 unapproved articles by the committee (140-144) are [**The below 5 points are Fred's Added Notes for explanation**]

1. The Council of Representatives may call the Council to an extraordinary session. The session shall be restricted to the topics that necessitated the call for the session, that the legislative session of the Council of Representatives may be extended and also implement article 58 of TAL regarding Kirkuk and so-called Disputed territories (article 140),
2. The Kurdish system put in place since 1992 in northern Iraq remain in force (article 141),
3. The article regarding the ways and means to make amendments and the approved article 126 by the constitution committee be suspended (article 142),
4. Transitional Administrative Law (TAL) to be annulled as soon as the new Constitution is approved; however, articles 53 and 58 (affects the Kurds) to remain (article 143),
5. When the constitution becomes effective (article 144).

Abdul Latif mentioned that Kurdish leaders, including the Barzani, where seated in the side room as the Constitutional Committee approved the 139 articles and sent it for final approval. However, the Kurdish leaders and their allies pressured other members to add the last five articles, which was not returned to the preparatory committee for reviewing, consideration and approval.

Fred's Note: Worth mentioning that the ORIGINAL DRAFT of the 2005 Iraqi Constitution was submitted by [Noah Feldman, an Israeli but of Iraqi origin](#).

