

MEMORANDUM OF UNDERSTANDING

Between

THE KURDISTAN REGIONAL GOVERNMENT  
REPRESENTING THE FEDERAL IRAQI GOVERNMENT

AND

MULTI-NATIONAL DIVISION – NORTH

AND

MULTI-NATIONAL DIVISION – NORTHEAST  
REPRESENTING MULTI-NATIONAL FORCE- IRAQ

CONCERNING

ASSUMPTION OF SECURITY RESPONSIBILITIES IN THE KURDISTAN REGION

## **Memorandum of Understanding Between the Kurdistan Regional Government and Multi-National Division – North and Multi-National Division -- Northeast**

### **The Participants**

1. The Participants to this Memorandum of Understanding (MOU) are His Excellency Nirchirvan Barzani, in his capacity as Prime Minister of the Kurdistan Regional Government (KRG) and representative of the Prime Minister of the Iraqi Federal Government in accordance with the security authorization issued by the Prime Minister, and Major General Mixon, Commanding General, Multi-National Division-North (MND-N) and Major General YoungBum, Commanding General, Multi-National Division-Northeast (MND-NE), representing the Multi-National Force - Iraq (MNF-I), hereinafter referred to as “the Participants”.
2. Each Participant may give written authorization for others to sign on their behalf.

### **Introduction**

3. The Joint Committee for the Transfer of Security Responsibility (JCTSR) has assessed that the Iraqi Federal Government, represented by the KRG, is ready to assume full security responsibility for the Kurdistan Region. The JCTSR’s assessment has been reviewed and approved by the Ministerial Council for National Security (MCNS), chaired by the Prime Minister of Iraq.
4. This MOU establishes relationships between the Participants and the Iraqi Ministry of the Interior (MOI) and Ministry of Defense (MOD) in specified circumstances after the assumption of internal security responsibilities in the Kurdistan Region. This MOU is not intended to constrain, obligate or bind the Participants beyond the current MNF-I obligations, in particular those laid down in the MOU between the Iraqi Federal Government and MNF-I concerning assumption of Security Responsibilities (known as “The Implementing Arrangement”). All terms and definitions in this MOU are as defined in the Implementing Arrangement and Paragraph 10.
5. Nothing in this MOU contradicts the authorities of the Federal Government, or the obligations and responsibilities belonging, to the KRG according to the Iraqi Federal Constitution and all applicable Iraqi laws.
6. This MOU neither obligates nor binds MNF-I and other subordinate units beyond the current obligations arranged by MNF-I and contained in other arrangements, including arrangements between MNF-I and Troop Contributing Nations (TCNs). The Participants agree and acknowledge that this MOU is only intended to confirm the respective status and authority of the Participants. This MOU defines the relationship

that will apply after the transfer of full internal security responsibility in the Kurdistan Region.

7. In accordance with United Nations Security Council Resolution (UNSCR) 1546, UNSCR 1637, UNSCR 1723 and any subsequent UNSCRs, this MOU does not restrict MNF-I from taking all measures necessary for the maintenance of security and stability in Iraq. Likewise, this MOU does not restrict the Iraqi Federal Government, Iraqi MoD, Iraqi MoI or any of their subordinate security units from fulfilling their responsibilities as prescribed by Iraqi law, the above mentioned UNSCRs or international law including all relevant international treaties to which Iraq is a party.

### **Purpose**

8. The purpose of this MOU is to set out an understanding of the relationship between the Participants and the activities they will conduct in partnership with one another during Regional Iraqi Control (RIC).

9. This MOU is in two parts. The first part sets out the relationship between the Participants and the activities they will conduct in partnership with one another during RIC. The second part contains those elements of the Implementing Arrangement, already agreed by the Iraqi Federal Government and MNF-I that set out the relationship between, and activities of, the Participants.

### **Definitions**

10. The following definitions are applicable to this MOU:

a. Regional Iraqi Control (RIC). RIC describes the process by which civil authorities in Iraq's regional government assume internal security responsibility from MNF-I for their regions.

b. Security Crisis. An incident or situation, including natural disasters, that exceeds the capabilities of the Kurdistan Police and, when established, Guards of the Region (Kurdistan Peshmerga Forces (KPF)) and requires national security assets, MND(N), MND(NE) or other MNF-I forces to contain or control it.

c. Iraqi Army (IA). Iraqi Army refers to that component of the Iraqi Armed Forces established under CPA Order 67 (21 March 2004) as amended by CPA Order 100 (28 June 2004) and including any relevant Iraqi laws applicable now or in the future.

d. Iraqi Security Forces (ISF). All security forces, headquarters and formations, either belonging to the MoI or MoD as defined in all applicable Iraqi laws.

- e. Iraq National Police Forces (INP). INP refers to all Iraqi National Police under the command of the MOI.
- f. Kurdistan Police (KP). All regularly constituted police units administered by the KRG Mol.
- g. Guards of the Region (KPF ) (when established). Forces to be established in accordance with Article 121/Fifth of the Iraqi Federal Constitution.
- h. Kurdistan Region. For the purpose of this MOU, the Kurdistan region refers only to security transition in the provinces of Erbil, Dahuk and Sulaymaniyah within their administrative borders as described in the applicable law at the time this MOU is signed.
- i. Command. The authority and responsibilities lawfully vested in an individual by virtue of their rank or assignment. Command includes the authority and responsibility for effective planning, organizing, directing, coordinating, and controlling subordinate and attached organizations and personnel for the accomplishment of assigned missions or tasks.
- j. Lead/Supported Command. The Commander or unit/formation that has primary responsibility for accomplishing the assigned mission or task. For a given security crisis, there will be only one lead command.
- k. Assisting/Supporting Command. The Commander(s) or unit(s)/ formation(s) that aid(s), protects, complements or sustains the lead command. There may be multiple supporting commands.
- l. Control. The authority that is less than full command by a commander over part of the activities of supporting or other organizations. For the purposes of this MOU, the lead commander will control supporting commands by requesting the supporting commander(s) perform missions or tasks which aid in the resolution of the crisis. The supporting commander(s) are obligated by this MOU to issue orders to their unit, which would satisfy the lead commander's request.
- m. Coordination. Those with responsibility for co-coordinating the functions or activities of two or more forces have the authority to request consultation between the agencies involved, or their representatives, but do not have the authority to compel them to take any affirmative action.
- n. TACON. Command authority over assigned or attached forces, limited to detailed direction, control of movement and maneuver, and tasks assigned to accomplish missions.
- o. Provincial Security Committee. The Provincial Security Committee (PSC) is responsible for planning, coordinating and monitoring security operations in

each province of the Kurdistan Region. Each PSC will routinely convene to monitor the implementation of its respective provincial security strategies. The further roles, functions and composition of the PSC are described in the Second Part of this MOU.

p. Kurdistan Regional Joint Coordination Center. The Regional Joint Coordination Center (KRJCC) is responsible for the continuous monitoring of the regional situation and maintaining a constant link with the National Joint Operations Center (NJOC), as well as local Joint Coordination Centers and PJCCs in other Iraqi provinces keeping the Kurdistan Region President informed, in order to co-ordinate, facilitate and de-conflict operations involving MNF-I forces, Kurdistan Mol, ISF and, when established, Guards of the Region (KPF). The further roles, functions and composition of the RJCC are described in the Second Part of this MOU.

## First Part

### Relationships between the Participants and the activities they will conduct after transfer of security to the regional authorities

#### 1. General

1.1 The First Part of this MOU sets out the relationship between the Participants and the activities they will conduct in partnership with one another during RIC.

1.2 After the assumption of security responsibilities by the Kurdistan Regional Government, MNF-I may maintain the presence of MND-NE at Camp ZAYTUN (38S LF 824455), the 403<sup>rd</sup> Civil Affairs Battalion in Dahuk, and the MNF-I Transition Teams in Dahuk (including at the Zahko Military Academy), Erbil and Sulaymaniyah. Additionally, MNF-I will maintain Police Transition Teams in Dahuk, Erbil and Sulaymaniyah cities, Border Transition Teams in Erbil and Sulaymaniyah cities, a Military Transition Team in Erbil city and elements of the 403<sup>rd</sup> Civil Affairs Battalion in Dahuk city.

1.3 Subject always to the provisions of the Implementing Arrangement and rights accorded in UNSCR 1546 and as extended by UNSCR 1637, UNSCR 1723 and any subsequent UNSCRs, MNF-I will continue to transit through the Kurdistan Region by whatever means it deems essential and carry out those tasks necessary to secure the area around its bases and sustainment routes. MNF-I retains responsibility for security in these areas and within the immediate vicinity of the Main Supply Routes (MSRs) between Baghdad and Habor Gate, Dahuk, Erbil and Sulaymaniya.

#### 2. MNF-I Tasks during Regional Iraqi Control

2.1 MNF-I, principally MND-N and MND-NE (based at Camp Zaytun), may conduct the following tasks during RIC (other than a declared security crisis, as defined in Paragraph 10b of the main body of this MOU, in Part Two of this MOU and in the Implementing Arrangement). The Commanding General MND(NE) and the Commanding General MND(N) may delegate responsibility for the coordination of MNF-I tasks during RIC to one of their subordinate military commanders.

a. Assist in the maintenance of the operational capability of IA forces permanently or temporarily located in the Kurdistan Region including 1<sup>st</sup> and 4<sup>th</sup> Brigades of the 2<sup>nd</sup> IA Division and 3<sup>rd</sup> Brigade, 4<sup>th</sup> IA Division, including any other MOD forces, and provide further training (including joint exercises) as requested by the Participants and coordinated with the respective IA Commanders.

b. Assist in the maintenance of the operational capability of the Kurdistan Police and provide further training as requested by the Participants and coordinated with the KRG MOI.

- c. Enable the joint selection, development, monitoring and completion of MNF-I funded reconstruction projects in the Kurdistan Region in coordination with the civilian authorities represented by the respective Provincial Reconstruction Development Committees; keeping the KRG informed through the KRJCC.
- d. Visit the political and security leaders of the KRG as required and arranged between them and MNF-I Commanders, keeping the KRJCC informed.
- e. Carry out force protection tasks where the lives or equipment of MNF-I personnel are considered by MNF-I to be under threat and conduct any other operations that are deemed necessary for the maintenance of security and stability in Iraq; informing the KRG President of any action ahead of time
- f. Provide necessary assistance by visiting the community and tribal leaders of the Kurdistan Region as required and arranged between those leaders and MNF-I Commanders; keeping the KRG informed through the KRJCC of these meetings.
- g. In order to properly support these activities, it may sometimes be necessary for MNF-I to establish a temporary base (or bases) within the Kurdistan Region. Where possible MNF-I intends to utilize existing ISF facilities. Any such MNF-I base (or bases) will be temporary in nature, that is it will be in place for no longer than 7 days at a time under normal circumstances. Establishment of temporary bases will be advised to the Prime Minister of the Iraqi Federal Government and coordinated with the KRG President.
- h. While such a temporary base is in place, MNF-I retains the right to conduct any activities which are deemed necessary for the preservation of human life, consistent with the right to self-defense. This may include, but is not limited to, patrols in the immediate area of the camp to deter or eliminate the threat of indirect or direct fire attack.

### **3. Mentoring of Security Forces in the Kurdistan Region**

3.1 Mentoring and training will include discussions and joint exercises in preparation for any MNF-I and ISF operations that may be necessary during a declared security crisis as defined in the Implementing Arrangement and this MOU.

3.2 For the purposes of mentoring 1<sup>st</sup> and 4<sup>th</sup> Bdes of the 2<sup>nd</sup> IA DIV and 3<sup>rd</sup> Bde of the 4<sup>th</sup> IA Div, MNF-I will visit these IA units and any other IA units wherever located within the Kurdistan Region upon the request of the Participants. Any visit will be made in coordination with the Brigade or Battalion Commander or a designated liaison officer. It is anticipated that as time progresses, the need to visit these locations will decrease.

3.3 MNF-I and the Commanders of the 2<sup>nd</sup> and 4<sup>th</sup> IA Divisions will determine the nature and duration of further training, mentoring and reporting in order to assist in the maintenance of their units' operating capability. As part of this understanding, MNF-I will, for a period, continue to supply equipment and train these IA units in its use.

3.4 For the purposes of mentoring the KP in the Kurdistan Region, MNF-I will visit police stations and police facilities upon the request of either of the Participants. Any visit will be made in coordination with the KRG MOI or a designated liaison officer. It is anticipated that as time progresses, the need to visit these locations will decrease.

3.5 MNF-I and the KRG MOI will determine the nature and duration of further training, mentoring and reporting in order to assist in the maintenance of the Kurdistan Police operating capability. As part of this understanding, MNF-I will continue, for a period, and as directed by the CG, MNSTC-I, to supply equipment and train the Kurdistan Police in its use.

#### 4. **Routine transit through the Kurdistan Region**

4.1 MNF-I retain the right to use, at all times and for all purposes, all main roads in the Kurdistan Region and to conduct any activity along those roads necessary for Force Protection purposes and in coordination with KRG.

4.2 Paragraph 4.1 is to be read in conjunction with the right of MNF-I to take all measures necessary for the maintenance of security and stability in Iraq in accordance with UNSCR 1546 and as extended by UNSCR 1637, UNSCR 1723 and any future relevant UNSCRs.

#### 5. **Contact with Provincial Security Committees**

5.1 MND(N) and MND(NE) or their successors will continue to liaise and share information with the Provincial Security Committees of Dahuk, Erbil and Sulaymaniyah through the KRJCC.

#### 6. **Visits to Political, Community and Security Leaders**

6.1 Elements of MND(N) and MND(NE), senior MNF-I commanders or other officials from MNF-I Troop Contributing Nations, will continue to travel through the Kurdistan Region in order to meet with political, community and security leaders; keeping the KRG President informed through the KRJCC of these meetings.

#### 7. **Joint Exercises with Iraqi Federal Security Forces and Kurdistan Regional Security Forces**

7.1 For the purposes of training and maintenance operational capability, MNF-I may participate in joint exercises with the ISF and Kurdistan regional security forces. This will be by prior arrangement with the appropriate ISF Commanders and Kurdistan region security forces commanders.

## 8. Monitoring of Reconstruction Projects

8.1 MNF-I will continue to identify, develop, monitor and complete reconstruction projects in the Kurdistan Region after transition to RIC. In order to achieve this, MNF-I teams will attend meetings of Provincial Reconstruction Development Committees and visit project sites and potential project sites within the Kurdistan Region.

8.2 For most projects, regular visits will be made by local civilian sub-contractors. However, MNF-I forces will occasionally visit to monitor the work of these subcontractors. MNF-I will inform the Provincial Reconstruction Development Committees and the KRG through the KRJCC of any planned visits.

8.3 The Participants acknowledge and welcome that the International Community, through the National Coordination Team (NCT), operates a Reconstruction Support Unit (RSU) in the Kurdistan Region and will continue to do so after the transition to Regional Iraqi Control, as part of its commitment to supporting development work in the Kurdistan Region.

## 9. MNF-I Counter-Terrorism (CT) Operations

9.1 If MNF-I needs to conduct CT operations in the Kurdistan Region after transition, the designated commander for that operation will coordinate with the appropriate PSC and the KRG during planning and execution as provided for in Paragraph 4f of the Implementing Arrangement.

## 10. MNF-I Re-intervention into the Kurdistan Region

10.1 The arrangements governing MNF-I re-intervention into the Kurdistan Region in the event of a security crisis are set out in the Second Part of this MOU and the Implementing Arrangement between the Government of Iraq and MNF-I.

## Second Part

### Iraqi Federal Government and MNF-I Implementing Arrangement agreed roles, relationships, and activities of the Participants.

#### 1. General

1.1 The Second Part contains those elements of the Implementing Arrangement, already agreed by the Iraqi Federal Government and MNF-I. Specifically, the Second Part sets out the relationship between, and activities of, the Iraqi Federal Government, KRG and MNF-I.

#### 2. Roles and Responsibilities

2.1. Provincial Security Committees. The Provincial Security Committee (PSC) is responsible for planning, coordinating and monitoring security operations in each province of the Kurdistan Region. The PSC will routinely convene to monitor the implementation of their respective provincial security strategies. The Provincial Director of Police is the executive agent of the PSC responsible for implementing routine security operations. If a security crisis occurs, as defined at Paragraph 10b of the main body of this MOU, the PSC will assemble to determine the best solution to the security problem and, if appropriate, the President of the Kurdistan Region, or a designated representative, may request national assets to resolve the crisis. The PSC will then continue to monitor the crisis and work under the direction of the Provincial Council to prepare for post-crisis operations. Members of the PSC will include the following as a minimum:

- a. Provincial Governor;
- b. Provincial Director of Police;
- c. Director of Civil Defense;
- d. Local IA Division Commander or his designated representative;
- e. When established, Guards of the Region (KPF) local commander;
- f. Department of Border Enforcement Commander;
- g. KMol representative; and
- h. MNF-I Liaison Officer or representative (will attend as required).

2.2. Joint Coordination Center (JCC). JCCs will be formed in districts when deemed appropriate by the Governor. JCCs will perform duties similar to the PJCCs, but only for areas designated by the Governor. The JCC will be staffed as required and maintain representatives from those agencies deemed necessary.

2.3 Provincial Joint Coordination Centers). Is responsible for the continuous monitoring of the provincial situation and maintaining a constant link with the Regional Joint Coordination Center (KRJCC), as well as local Joint Coordination Centers and PJCCs in other Iraqi provinces, in order to co-ordinate, facilitate and de-conflict operations involving MNF-I forces, ISF, Kurdistan MoI and, when established, Guards of the Region (KPF). The PJCCs within the Kurdistan Region are the centers of intelligence collection and dissemination activities for the region and are responsible for de-conflicting operations. They share intelligence with all agencies within their province and the region and with the NJOC, as applicable. Located within the PJCC is the Joint Operations Room (JOR) where the PSC will convene to plan security operations and address emergency situations. The PJCC reports intelligence to and coordinates requests for national assistance through the KRJCC. The following agencies will maintain permanent representatives to the PJCC:

- a. When established, Guards of the Region (KPF) local commander ;
- b. KRG MOI representative;
- c. Kurdistan Police
- d. Representative of Civil Defense Agency;
- e. Local IA Division Commander or his designated representative and
- f. MNF-I Liaison Officer (will attend as required).

2.4 Kurdistan Regional Joint Coordination Center (KRJCC). The KRJCC is responsible for the continuous monitoring of the regional security situation and maintaining a constant link with the National Joint Operations Center (NJOC), PJCCs in other Iraqi provinces, in order to co-ordinate, facilitate and de-conflict operations involving MNF-I forces, ISF, Kurdistan MoI and, when established, Guards of the Region(KPF). The KRJCC establishes coordination between the Federal Government and the Commander in Chief of the Armed Forces with the PJCCs within the Kurdistan region. The KRJCC consolidates and transmits security and intelligence reports to the NJOC through the KRG President and coordinates requests for national assistance through the NJOC. The following agencies will maintain permanent representatives to the KRJCC:

- a. Kurdistan police representative
- b. Local IA Division Commander or his designated representative;
- c. When established, Guards of the Region (KPF) Commander
- d. KRG MOI representative ;
- e. Department of Border Enforcement representative in the region
- f. Civil Defense Agency representative
- f. MNF-I Liaison Officer (will attend as required).

2.5. National Joint Operations Center (NJOC). The NJOC is responsible for the continuous monitoring of the operational situation throughout Iraq. It maintains a constant link with the Prime Minister's Situation Room (PMSR) and KRJCCs, updating the MNF-I chain of command on Iraqi activities in order to coordinate, facilitate and de-conflict operations involving Iraqi MoI and MoD, KRG and MNF-I assets. Its responsibilities include:

- a. Coordinating with Iraqi Ministries, as the operational situation requires.
- b. Ensuring that critical time sensitive information is forwarded immediately to the PMSR, the KRG President, and other appropriate ministries, through the KRJCC.
- c. Maintaining continuous communications with the MoI Operations Chief at the National Command Center (NCC) and the MoD Joint Headquarters (JHQ) and KRJCC to ensure continuous intelligence dissemination and sharing among the security ministries.
- d. Disseminating intelligence information to the KRG and KRJCC and coordinating requests for support and information from the PJCCs, Iraqi ministries or MNF-I.

2.6 Joint Operations Room. JORs, located within the PJCCs, are where the PSC will convene to discuss security matters. The JOR is a separate area where the PSC may receive and discuss reports, conduct planning and maintain situational awareness without disturbing routine PJCC operations. During crisis situations, the PSC will use the JOR to coordinate activities with the responding agencies. During routine operations the entire PSC may assemble; however, in crisis situations a smaller cell may convene to quickly assess the situation and decide on a course of action. This smaller group will include at a minimum:

- a. Provincial Governor;
- b. Provincial Director of Police;
- c. When established, Guards of the Region (KPF) local commander;
- d. Local IA unit Commander or his designated representative;
- e- KRG MOI representative
- f. MNF-I Liaison Officer (will attend as required).

### 3. Security Framework for the Kurdistan Region

3.1. General Command and Control Principles. The Participants understand that the following principles apply to both normal and crisis security conditions:

3.1.1 MND(NE) and MND(N) as subordinate units of MNF-I will operate under UNSCR 1546 and as extended by UNSCR 1637, UNSCR 1723 or its successor mandate and will not transfer command of MND(NE) or MND(N) assets to the Iraqi Federal Government or KRG.

3.1.2 While CPA Order 67 (21 March 2004) remains valid, the 2<sup>nd</sup> IA Div units located in the Kurdistan Region will remain under the operational control of MNF-I and TACON to MND (NE) and MND(N) until MNF-I transfer control of the 2<sup>nd</sup> IA Division to the Iraqi Ground Forces Command.

3.1.3 The Iraqi Minister of the Interior maintains command over all Iraqi MoI Forces including Department of Border Enforcement units.

3.1.4 After coordinating and consulting [with the President of the KRG], the PM of Federal government may authorize, at his discretion, the President of the Kurdistan Region to assume direct command or control over any Iraqi Armed Forces that fall under the MOD, MOI and DBE or any forces operating in the Kurdistan Region, during unusual (critical) conditions.

### 3.2. Command and Control Under Normal Conditions.

3.2.1 The authorities of the Kurdistan Region will ensure the internal security and domestic order of their region through the employment of the provincial and local police and, when established, Guards of the Region (KPF) as required. The KRDOF will maintain operational control over all the provincial and local police services/forces. Security of international borders in the Kurdistan region is the exclusive responsibility the Iraqi Federal Government.

3.2.2 Direct Command and control over IA and federal Iraqi forces movements in the region under normal conditions will be the responsibility of the Iraqi federal government and in accordance with the Federal constitution. MNF-I elements operating in or passing through the Kurdistan Region will be in accordance with paragraphs 4.1 and 4.2 of the First Part of this MOU.

3.2.3 No formal command and control relationship exists between the Kurdistan Police, the IA INP and, when established, Guards of the Region (KPF); however, the Iraqi Prime Minister, the President of the Kurdistan Region, and the relevant Ministers from the Federal Government and KRG have the responsibility to coordinate unit activities at the regional level that contribute to the overall security of the Kurdistan Region. This coordination should be conducted by the PSC at the KRJCC, which reports through the NJOC. Once coordinated and approved, MoI and MoD forces may operate in a supporting role to the KRDOF or, when established, Guards of the Region. In accordance with CPA Order 22 (7 August 2003) however, MoD forces will not exercise domestic law enforcement functions. It is also essential that coordination of operations occurs between the Kurdistan Region and other provinces, especially when operations involve administrative boundaries. The duty of the PJCC is to establish lateral methods

of communication between PJCCs of other provinces so that these centers are informed about events and to facilitate coordination between them when needed.

### 3.3. Command and Control under Crisis Conditions.

3.3.1. Either upon the request of the President of the Kurdistan Region, or in consultation with national security officials, the Iraqi Prime Minister may state that a security crisis as defined under Paragraph 10b of the main body of this MOU exists.

3.3.2 Deployment of Iraqi Security Forces. When a security crisis has been declared by the PM, deployment of Iraqi security forces may be initiated in response to a security crisis in one of two ways:

a. By Request. The President of the Kurdistan Region, in consultation with the Kurdistan Region parliament, may request assistance from the federal government PM who, after consultation with the appropriate ministers, will direct and specify the proper national assets to resolve the situation.

b. By Direction. The PM, if the situation warrants, may direct intervention/assistance using the INP, the IA (in coordination with KRG President and the Commanding General, MNF-I) or request MNF-I assistance under the authorities granted in UNSCR 1546 and as extended by UNSCR 1637, UNSCR 1723 and any subsequent relevant resolutions.

3.3.3 Command and Control Relationships. To facilitate operations between MoI, MoD, KRG, and MNF-I during a crisis situation, a lead and supporting relationship must be established between the different forces. The Iraqi Prime Minister, in consultation with the President of the Kurdistan Region and Commanding General MNF-I, will designate one command to be the lead command with responsibility to resolve the security crisis; all others agree to support the lead command. The Iraqi Prime Minister after consulting with the KRG President will designate only one organization as lead command with authority and responsibility to command operations aimed at resolving the security crisis; all others are required to support the lead command. As a crisis situation changes, the Iraqi Prime Minister, after consultation with his Ministers, the President of the Kurdistan Region and Commanding General MNF-I, may change the lead and supporting commands. Each crisis situation may be unique in nature, size and location necessitating the need for the Iraqi Prime Minister after consulting with the KRG President to maintain the flexibility to adjust the command relationships; however, the normal model will be as outlined in the paragraphs below:

a. Deployment of INP. Upon a decision by the Iraqi Prime Minister to deploy Forces to the Kurdistan Region, the Iraqi Prime Minister, in consultation with the Commanding General MNF-I and KRG President, directs the Iraqi MOI to deploy INP in accordance with agreed recommendations. The Iraqi Prime Minister will designate either the INP unit commander or the KRDO as the lead, based upon the nature of the crisis and the size of the national forces deployed.

b. Deployment of Iraqi Army forces. If required in a crisis situation, the Iraqi Prime Minister, in consultation with the President of the Kurdistan Region and the Commanding General MNF-I, will direct deployment of IA forces to the Kurdistan Region. When deployed, the IA unit commander will be appointed in coordination with the Prime Minister of the Federal government in consultation and coordination with the KRG President and CG, MNF-I and he will normally be the lead command and have responsibility to resolve the security crisis; all previously deployed INP, Kurdistan police forces and, when established, Guards of the Region (KPF) will support the lead command in resolving the crisis, based on the size and nature of the crisis and the size of the national forces deployed.

c. After evaluating the nature of the crisis, the size of Iraqi national forces required, or the need to respond quickly, the Iraqi Prime Minister may designate the President of the Kurdistan Region responsible for resolving the crisis. MOI forces and IA forces in the area will support any of Kurdistan region security forces.

d. Deployment of MND(NE)/MND(N) forces or other MNF-I forces. Either at the request of the Iraqi Prime Minister, or at the discretion of the Commanding General MNF-I, in coordination with the Iraqi Federal Government and KRG; MND(NE)/MND(N) forces (or other MNF-I forces) and Iraqi Army forces may be deployed to resolve a security crisis. Upon the decision to deploy MND(NE)/MND(N) forces to resolve a security crisis, the MND(NE)/MND(N) commander will be designated as the lead commander and may further delegate command to a subordinate unit as appropriate. Kurdistan police forces, deployed INP, when established, Guards of the Region (KPF) or deployed IA forces within the Kurdistan Region will support the lead command in resolving the crisis.

3.4 Returning to Normal Conditions. The Participants understand that following the Iraqi Prime Minister's announcement of the resolution of a security crisis, and as conditions permit, the Kurdistan Region, or the part thereof affected, will return to normal conditions.

a. If INP or IA units have been employed, the lead commander will transfer security responsibility back to the KRDO or, when established, the Commander of the Guards of the Region (KPF), as conditions warrant, after the security crisis is resolved. The decision regarding the timing of this transfer rests with the Iraqi Prime Minister, in consultation with the appropriate Ministers, the President of the Kurdistan Region and the Commanding General MNF-I.

b. If MND(NE)/MND(N) forces (or other MNF-I forces) have been employed, the MND(NE)/MND(N) commander (or other MNF-I unit commander) will transfer security responsibility back to the Iraqi Army, when established, Commander of the Guards of the Region (KPF) or the KRDO, as conditions warrant, after the security crisis is resolved. The Commanding General MNF-I, in consultation with

the Iraqi Prime Minister and the President of the Kurdistan Region, will determine the appropriate time and responsible party.

c. Upon return to normal conditions, MNF-I will continue to conduct activities in accordance with the provisions of the main body of this MOU.

#### **4. Overwatch**

4.1. After Iraqi civil authorities take full security responsibility for a province or provincial capital, MNF-I will posture forces to provide assistance if necessary. In accordance with the conditions established by the JCTSR, MNF-I forces will remain positioned to perform the following functions:

a. Maintain training and mentoring relationships with all Iraqi Security Forces.  
b. Provide MNF-I support capabilities in the support of training and exercises, which may diminish over time, to mentored Iraqi Forces.

c. Provide force protection to MNF-I personnel.

4.2. Under crisis conditions and following national approval, MNF-I will, (as explained in Paragraph 3.3 of the Second Part of this MOU):

a. Assist IA, Guards of the Region (KPF), when established, and Kurdistan Police force if required;

b. Provide additional support, as necessary, to MoD or INP units and any remaining MNF-I forces to conduct required operations.

#### **5. Establishment of Internal Security Forces (Guards of the Region ( KPF)) Pursuant to Article 121/Fifth of the Iraqi Federal Constitution**

5.1 Negotiations between the Iraqi Federal Government and the KRG to transition CPA Order 91 Residual Elements of the Armed Forces of the Kurdistan Democratic Party and Patriotic Union of Kurdistan (presently known as the Peshmerga) into the Guards of the Region (KPF) in compliance with Article 121/ Fifth and other relevant articles of the Iraqi Federal Constitution began in September 2006. The Iraqi Federal Government and the KRG have separately committed to continue good faith negotiations until all outstanding Peshmerga transition issues are resolved in accordance with the Iraqi Constitution, regardless of when regional authority is transferred and, in view of the joint desire to organize the Guards of the Region (KPF) as soon as possible. The US and UK embassies, together with MNF-I, have agreed to serve as facilitators in this process for as long as either the Iraqi Federal Government or KRG desires.

## 6. Dispute Resolution and Applicability of the MOU

6.1. Dispute Resolution. In the spirit of cooperation all participants will commit to resolve issues that may arise at the lowest possible echelon. The JCTSR, or other appropriate national security committee, is the appropriate forum for dispute resolution.

6.2. In the event of a dispute, the Arabic version of this Memorandum of Understanding will be considered the authoritative version.

### 6.3 Applicability and Effective Date.

a. This MoU provides a guideline for cooperation. It may be modified jointly by the Participants in writing as necessary.

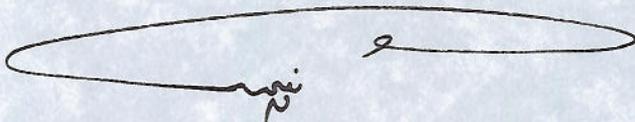
b. Upon approval, this MOU remains in effect until the UNSCR mandate is complete and Coalition Forces have withdrawn.

## 7. References

- a. The Iraq Constitution, ratified on 15 October 2005.
- b. MOU between the Government of Iraq and the Multi-National Force- Iraq Concerning Assumption of Security Responsibilities (Implementing Arrangement).
- c. Iraqi Prime Minister Security Authorization
- d. United Nations Security Council Resolution (UNSCR) 1546, 8 June 2004.
- e. UNSCR 1637, 8 November 2005.
- f. UNSCR 1723, 28 November 2006.
- g. Transitional Administrative Law, 8 March 2004.
- h. Coalition Provisional Authority (CPA) Order 17, Status of the CPA, MNFI, Certain Missions and Personnel in Iraq w/ Annex, 27 June 2004.
- i. CPA Order 22, Creation of a New Iraqi Army, 7 August 2003.
- j. CPA Order 67, Ministry of Defense, 21 March 2004.
- k. CPA Order 71, Local Governmental Powers, 6 April 2004.
- l. CPA Order 100, Transition of Laws, Regulations, Orders, and Directives, 28 June 2004.

- m. MOU between MNF-I and MoD, State of Iraq, Iraqi Army Lead, 23 December 2005.
- n. MOU between MNF-I and MoI, State of Iraq, Police Partnership Program and Transition Teams, 24 January 2006.

This Memorandum of Understanding for the transfer of security responsibility has been agreed on behalf of the Kurdistan Regional Government, representing the Government of Iraq, and Multi-National Division- North and Multi-National Division- Northeast, representing the Multi-National Force - Iraq (MNF-I) by:



**Nechirvan Barzani**  
**The Prime Minister of the Kurdistan Regional Government**  
**and Representative of the Iraqi Federal Government**



**Major Yoon Young Bum**  
**Major General**  
**Republic of Korea Army**  
**Commanding General**  
**Multi-National Division-Northeast**



**Benjamin R. Mixon**  
**Major General**  
**United States Army**  
**Commanding General**  
**Multi-National Division-North**

**On 30 May 2007**