

<http://www.mitchellorenstein.com/wp-content/uploads/2012/07/Iraq.pdf>

<http://theiraqidinar.com/2012/02/01/un-calls-for-the-success-of-the-project-in-iraq-and-federation-council-to-strengthen-the-legislative-power/>

<http://www.usip.org/publications/constitutional-reform-iraq-improving-prospects-political-decisions-needed> - \*\*

<http://onedinar.forumotion.net/t34957-baghdad-governor-demands-representation-of-irags-provinces-in-the-ncsp>

<http://www.fas.org/sgp/crs/mideast/RS21968.pdf>

[http://en.wikipedia.org/wiki/Council\\_of\\_Representatives\\_of\\_Iraq](http://en.wikipedia.org/wiki/Council_of_Representatives_of_Iraq) \*\*

<http://www.talktalk.co.uk/reference/encyclopaedia/hutchinson/m0019794.html> \*\*

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<http://carnegieendowment.org/publications/special/misc/iraqielections2010/iraqCabinet.pdf>

<http://thecurrencynewshound.com/2012/07/24/oil-and-energy-commission-confirms-that-the-enactment-of-the-oil-and-gas-will-be-followed-by-the-formation-of-the-federal-council/>

[http://iraqthemodel.blogspot.com/2010\\_12\\_01\\_archive.html](http://iraqthemodel.blogspot.com/2010_12_01_archive.html)

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<http://translate.google.com/translate?sl=ar&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.alsumarianews.com%2Far%2Firaq-politics-news%2F-1-35704.html> \*\*\*

[http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=9&ved=0CGEQFjAI&url=http%3A%2F%2Ffoiss.rice.edu%2FWorkArea%2Flinkit.aspx%3FLinkIdIdentifier%3Did%26ItemID%3D668&ei=E1kXUNrzHMxrAHnx4CoCA&usg=AFQjCNEwFmBEGoEla-ZyBYi35-kmokmaTQ&sig2=p5yLp5I1\\_gAA\\_4sYWc\\_HMw](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=9&ved=0CGEQFjAI&url=http%3A%2F%2Ffoiss.rice.edu%2FWorkArea%2Flinkit.aspx%3FLinkIdIdentifier%3Did%26ItemID%3D668&ei=E1kXUNrzHMxrAHnx4CoCA&usg=AFQjCNEwFmBEGoEla-ZyBYi35-kmokmaTQ&sig2=p5yLp5I1_gAA_4sYWc_HMw) \*\*\*

<https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html> \*\*

Article 48:

The federal legislative power shall consist of the Council of Representatives and the Federation Council.

Article 65:

A legislative council shall be established named the “Federation Council,” to include representatives from the regions and the governorates that are not organized in a region. A law, enacted by a two-thirds majority of the members of the Council of Representatives, shall regulate the formation of the Federation Council, its membership conditions, its competencies, and all that is connected with it.

Article 66:

The federal executive power shall consist of the President of the Republic and the Council of Ministers and shall exercise its powers in accordance with the Constitution and the law.

Article 108:

Other independent commissions may be established by law, according to need and necessity.

[http://www.uniraq.org/documents/iraqi\\_constitution.pdf](http://www.uniraq.org/documents/iraqi_constitution.pdf)

## **FEDERATION COUNCIL**

TAKEN FROM UNITED STATES INSTITUTE OF PEACE – SEPTEMBER 2007

**“Constitutional Reform in Iraq: Improving Prospects, Political Decisions Needed”**

**The Federation Council:** Article 65 of the 2005 constitution called for the creation (by law) of an upper house of the parliament to represent the interests of the federal entities. There has been widespread agreement that the provisions defining the powers and composition of this important body—which would serve as the lone forum for coordination and debate among the regions and governorates—should be incorporated directly into the constitution. The CRC has proposed a Federation Council made up of an equal number of representatives per governorate, regardless of population size or prior incorporation into a region. The representatives would be directly elected by the population of each governorate, with an unspecified number of seats reserved for minority groups.

<http://www.usip.org/publications/constitutional-reform-iraq-improving-prospects-political-decisions-needed>

Under the permanent constitution approved on October 15, 2005, legislative authority is vested in two bodies, the Council of Representatives and the Council of Union.

The **Council of Representatives** consists of 325 members elected for four years, with two sessions in each annual term. The Council passes federal laws, oversees the executive, ratifies treaties, and approves nominations of specified officials. It elects the president of the republic, who selects a prime minister from the majority coalition in the Council. (During an initial period, a three-member Presidential Council elected by the Council of Representatives will carry out the duties of the president of the republic.)

[Elections](#) for the Council of Representatives were held on December 15, 2005. The Council first met on March 16, 2006, exactly one year after the first meeting of the transitional assembly.

The Council of Representatives of Iraq has the same name in Arabic (مجلس النواب, *Majlis an-Nuwwab*) as the lower legislative houses of [Bahrain](#), [Morocco](#), [Jordan](#), and [Yemen](#), and as the unicameral legislatures of [Lebanon](#) and [Tunisia](#). However, a number of different English terms are used to refer to these bodies.

The **Council of Union**, or Federation Council (*Majlis al-Ittihad*), will consist of representatives from Iraq's regions. Its precise composition and responsibilities are not defined in the constitution and will be determined by the Council of Representatives.

[http://en.wikipedia.org/wiki/Council\\_of\\_Representatives\\_of\\_Iraq](http://en.wikipedia.org/wiki/Council_of_Representatives_of_Iraq)

## IRAQ

### TALKTALK FROM THE UK

The president is largely a ceremonial figure but selects the prime minister from the majority coalition in the Council. Executive power is held by the prime minister and the cabinet, with Council approval required for each cabinet appointment. There are plans to set up a second, upper chamber, known as the Federation Council (Majlis al-Ittihad), comprising representatives from Iraq's regions and with the task of examining bills relating to regions and provinces. Regions will be formed from Iraq's 18 provinces and will share powers in some areas (such as health and education) with the federal government, and will exclusively hold some local powers. The federal government has exclusive power over foreign and defence policy, budget and financial policies, and welfare programmes.

<http://www.talktalk.co.uk/reference/encyclopaedia/hutchinson/m0019794.html>

[UN calls for the success of the project in Iraq, the Federation Council to strengthen the legislative power](#)

Called on the Deputy Special Representative of the Secretary-General in Iraq for political affairs, on Wednesday, members of parliament to work on the success of the project the Federation Council, likely to open up the efforts to shape the way for the constitutional review, as he emphasized that there is an agreement between political leaders on the need to implement the constitutional article on the Council.

A statement to the parliament issued today, and received "Alsumaria News", Ambassador Georgi-Posten said in a speech during a meeting of the Round Table on Constitutional and legislative framework of the **Council of the Union** "an honor to address members of Parliament and I congratulate the leadership of the **House of Representatives on the initiative to activate the constitutional provision to establish Council of the Union in accordance with Article 65 of the Iraqi Constitution, which calls for the establishment of a second in the national legislature called the Council of the Union.** "

**The Boston "This entity is comprised of representatives of the regions and provinces and is therefore complementary to the House of Representatives who represents the Iraqi people, and the terms of reference of the Federation Council is expected to include a review of laws enacted by the House of Representatives, in addition to other tasks as may be assigned to him under a special law."**

**He Posten that "many countries have formed a second chamber or a Supreme Council in Parliament for various reasons as it allows the formation of the higher possibility of the representation of a wider segment of society, including groups, components, and interests that may not be usually represented in the legislature through the electoral process that is which the selection of the House of Representatives or of the People, shall be vested in the Supreme Council has responsibility for review or to believe what comes out of the House or the executive branch. "**

The Boston that "there is wide agreement among Iraqi political leaders the need to implement the constitutional article No. 65 Judge formation of the Federation Council and the legislative process under way in that direction," pointing out that "round-table discussions will contribute significantly to the deliberations that will take place in the House of Representatives on the bill and will ultimately help in the formation of a Legislative Council, the highest effective and works to promote and consolidate democracy in Iraq. "

He favored Boston that "opens the efforts to form a Council of the Union the way for renewed efforts to advance the process of constitutional review," noting that "At the request of the Presidency of the Council of Representatives, presented the mission of advice and technical assistance to the round table, including the international experience and comparison of the boards of the Supreme federal parliamentary democracies. "

The Iraqi List, confirmed on 20 September 2011, that the list agreed to return to the Federal Council that led to was a candidate for the Supreme Council policy, a leader of the list by Iyad Allawi, and while attracted to not be an offense or obstruct this command to Oroadh in the Constitution, considered that the activation of This Council will solve the complex political problems between Iraq and the rule of law.

The head of the House of Representatives Osama Najafi, on 22 September 2011, the Federal Council and the Council of two different high-level policy, stressing the necessity of activating the Federal Council during the current parliamentary session, pointed out that while Iyad Allawi, is greater than that looking for the post.

Prime Minister Nuri al-Maliki said, in the 11 of August 2011, not convinced by the Council of strategic policies, considering that the Council is Aredaúah issue and has no role in the solutions encountered in the political process.

<http://translate.google.com/translate?sl=ar&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.alsumarianews.com%2Far%2Firaq-politics-news%2F-1-35704.html>

## **The Electoral System in Iraq**

adi Muneeb Al-Asadi Visiting Scholar Rice University

The Iraqi constitution defines the federal government of Iraq as an Islamic, democratic, federal parliamentary republic that consists of the executive, legislative, and judicial branches. The Legislative Branch is composed of two different councils: The Council of Representatives and The Federation Council. The former is the main elected body of Iraq that is re-elected on a 4-year term basis. The power of this council allows it to elect the Iraqi President, approves the appointment of the Federal Court of Cassation and the President of Judicial Oversight Commission as well as approving the appointment of the Army Chief of Staff and the director of the intelligence service. The Federation Council involves members of different small regions and is controlled by the Council of Representatives. The Executive Branch consists of both the President and the Council of Ministers. The president is recognized as the head of state. "The President should safeguard the commitment to the Constitution and the preservation of Iraq's independence, sovereignty, unity, the security of its territories in accordance with the provisions of the Constitution" states the Iraqi Constitution. He is elected on the approval of two-thirds of the Council of Representatives for four years.

<http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=9&ved=0CGEQFjAI&url=http%3A%2F%2Ffoiss.rice.edu%2FWorkArea%2Flinkit.aspx%3FLinkIdIdentifier%3Did%26ItemID%3D668&ei=>

[E1kXUNrzHMxrAHnx4CoCA&usg=AFQjCNEwFmBEGoEla-ZyBYi35-kmokmaTQ&sig2=p5yLp5I1\\_gAA\\_4sYWc\\_HMw](http://E1kXUNrzHMxrAHnx4CoCA&usg=AFQjCNEwFmBEGoEla-ZyBYi35-kmokmaTQ&sig2=p5yLp5I1_gAA_4sYWc_HMw)

## CENTRAL INTELEGENGE AGENCY FACT BOOK

### Executive branch:

**chief of state:** President Jalal TALABANI (since 6 April 2005); Vice Presidents Tariq al-HASHIMI and Khudayr Musa Jafar Abbas al-KHUZAI

**head of government:** Prime Minister Nuri al-MALIKI (since 20 May 2006)

**cabinet:** The Council of Ministers consists of the prime minister and cabinet ministers he proposes; approved by an absolute majority vote by the Council of Representatives

(For more information visit the [World Leaders website](#) )

**elections:** president elected by Council of Representatives (parliament) to serve a four-year term (eligible for a second term); election last held on 11 November 2010 (next to be held in 2014)

**election results:** President Jalal TALABANI reelected on 11 November 2010; parliamentary vote count on second ballot - 195 votes; Nuri al-MALIKI reselected prime minister

### Legislative branch:

unicameral Council of Representatives (325 seats consisting of 317 members elected by an optional open-list and representing a specific governorate, proportional representation system and 8 seats reserved for minorities; members serve four-year terms); note - Iraq's Constitution calls for the establishment of an upper house, the Federation Council

**elections:** last held on 7 March 2010 for an enlarged 325-seat parliament (next to be held in 2014)

**election results:** Council of Representatives - percent of vote by coalition - Iraqi National Movement 25.9%, State of Law coalition 25.8%, Iraqi National Alliance 19.4%, Kurdistan Alliance 15.3%, Goran (Change) List 4.4%, Tawafuq Front 2.7%, Iraqi Unity Alliance 2.9%, Kurdistan Islamic Union 2.3%, Kurdistan Islamic Group 1.4%; seats by coalition - NA

## [Baghdad Governor demands representation of Iraq's Provinces in the NCSP](#)

 w8tin on Sun Aug 14, 2011 6:43 am

Baghdad Governor demands representation of Iraq's Provinces in the NCSP

8/14/2011 2:16 PM

BAGHDAD / Aswat al-Iraq: The Governor of Baghdad, Salah Abdul-Razzaq, has demanded the representation of the Iraqi Provinces in the National Council for Strategic Policies (NCSP), the same way of the representation of Iraq's Kurdistan Region in the Council, according to the Governor's office on Sunday.

"The NCSP is planned to lay the strategic polices of the State of Iraq and to draw its future plans," Governor Salah Abdul-Razzaq said in the statement, copy of which was received by Aswat al-Iraq news agency.

“Those policies also concern the Iraqi Provinces, because they would be practiced inside those Provinces, or that the impact of their results on the Iraqi citizens in all those Provinces,” the statement confirmed.

It stressed that “there must be a clear voice by the Provinces in the NCSP and that the representatives of the Provinces defend the interests and rights of their Provinces, similar to other constitutional or government institutions.”

“The simple presence of the leaders of the political blocs or the Three Presidential Chairmanships can’t compensate the presence of representatives of the Provinces, because they represent the Federal powers, that had always expressed the Central Government’s viewpoints,” the statement stressed.

“If the NCSP only represents the officials of the Federal Government, or the Three Executive, Legislative and Judicial authorities, as well as the political blocs, represented in the Parliament; why only the Kurdistan Region is represented in the Council, despite fact that it is a local authority, similar to the Provinces that are not organized in a Region?, and there must not be any difference between the Provinces and the Region, in their defense for the interests of their citizens,” the statement concluded.

[http://en.aswataliraq.info/Default1.aspx?page=article\\_page&id=144282&l=1](http://en.aswataliraq.info/Default1.aspx?page=article_page&id=144282&l=1)

CONGRESSIONAL RESEARCH SERVICE – JUNE 13, 2012  
**Iraq: Politics, Governance, and Human Rights**

**PAGE 2 OF THE DOCUMENT**

- all orders of the U.S.-led occupation authority (Coalition Provisional Authority, CPA) to be applicable until amended (Article 126), and a “Federation Council” (Article 62), a second chamber with size and powers to be determined in future law (not adopted to date).

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On November 10, 2010, with reported direct intervention by President Obama, the “Irbil Agreement” was reached in which (1) Allawi agreed to support Maliki and Talabani to remain in their offices for another term; (2) Iraqiyya would be extensively represented in government—one of its figures would become COR Speaker, another would be defense minister, and another (presumably Allawi himself) would chair the enhanced oversight body discussed above, though renamed the “National Council for Strategic Policies;”<sup>9</sup> and (3) amending the de-Baathification

laws that had barred some Iraqis, such as Saleh al-Mutlaq, from holding political positions. Observers praised the agreement because it included all major factions and was signed with KRG President Masoud Barzani and U.S. Ambassador to Iraq James Jeffrey in attendance. The agreement did not specify concessions to the Sadr faction.

#### **PAGE 15 OF DOCUMENT**

#### **National Council for Strategic Policies Dispute**

Another issue has been the continuing stalemate over the formation of the National Council for Strategic Policies—a key provision of the Irbil Agreement. Some proposals from those sympathetic to Allawi called for the council to include the prime minister, president, their deputies, and a representative of all major blocs—and for decisions of the council to be binding on Maliki if they achieve support of 80% of the council members. Maliki and his supporters want this council to have as few powers as possible so as not to impinge upon the power of the prime minister. The body and its powers have not been voted on by the COR, and Allawi was always considered unlikely to chair the body unless it is given significant authorities.

**Friday, December 10, 2010**

### **[The National Council for Strategic Policies](#)**

The most recent draft of the legislation to govern the proposed National Council for Strategic Policies (NCSP) leaked to an [Iraqi news website](#) yesterday. This is the body which Ayad Allawi is supposed to chair under the deal between him, Barzani and Maliki. Allawi has set this as the condition for his bloc's participation in Maliki's government. The parliament is supposed to vote on this next week.

Here's my rather quick, not so fancy translation:

#### **The National Council for Strategic Policies**

##### **The structure of the Council**

A. The presidency of the council: Consists of the president of the council and the secretary general.

**B. The members of the council: Include the president of the republic and his deputies, the presidency of the parliament, the presidency of the federation council, the PM, his deputies, the presidents of federal regions, and the president of the supreme judicial council.**

C. Participants in the council meetings: concerned ministers, by invitation from the presidency of the council. Those ministers do not have the right to vote.

D. Advisors and experts.

E. Administrative staff.

F. Independent budget.

G. The council is part of the executive branch and its president has a rank equivalent to the Prime Minister.

H. The ministers are required to attend meetings concerning their specialties, without affecting their work at the council of ministers.

I. The Council has the right to appoint advisors in various fields of expertise as needed.

J. The Council is the place where the three branches of government work in cohesion in an integrated manner to build the state. The Council is not a replacement for either branch.

### **The functions of the council:**

#### 1. Domestic policies:

Achieving national reconciliation and supervising its implementation. Repatriation of refugees and internally displaced people, and compensating them in a manner commensurate with damages and suffering. Expediting the processing of detainees and the release of the innocent. Dealing with the decisions of the Justice and Accountability Committee within the judicial framework and recommending that the Parliament close this file. Building a common vision for constitutional amendments to overcome previous loopholes and improve the efficiency of the political system.

#### 2. Foreign policy:

Preparing the prerequisites for:

- a. regaining Iraq's status within the Arab and Islamic community.
- b. creating constructive relations with the regional and international surroundings.
- c. removing Iraq from under Chapter VII of the UN charter.

#### 3. Monetary and economic policy:

Planning national strategies for various economic activities to secure prosperity and decent living standards for the people. Adopting specific guidelines and standards for achieving sound economic growth and harmony between federal budget allocations and the priorities of the strategic goals and the investment and development plans and programs.

#### 4. Security and military policies:

Planning the high strategic policies for Iraq's internal and external security. To secure Iraq's stability and the nation's ability to deter and defend against any aggression. These policies include the following areas:

- a. Defense policy
- b. Armed forces buildup
- c. Military doctrine
- d. Procurement policy
- e. Training doctrines
- f. Military service policy
- g. Unit deployment
- h. Force employment
- i. Internal security policy (nationwide)
- j. Command structure, and defining powers and responsibilities (supreme commander, commander in chief, defense minister, interior minister, chairman of the joint chiefs)
- k. Intelligence strategy, and coordinating the functions of the different intelligence agencies

#### 5. Oil, Gas and Electricity policy:

Establish a special commission, attached to the Council, to be comprised of experts, as well as the ministries of oil, electricity and water resources. The commission's function is to review the principles and foundations of contracts and agreements, to make amendments to treaties, and to expedite the drafting of the oil and gas law, and any other legislations, prior to sending them to the parliament.

#### 6. Administrative policy:

Amending the CPA-issued Inspector General law. The Council also plays a role in planning and overseeing the execution of high policies for the preservation of national culture, heritage, and education.

#### 7. Policies concerning the sovereignty and integrity of the judiciary:

Preparing a list of priorities to enact the necessary legislations, in coordination with the council of ministers. Evaluating the framework of active laws and legislations to identify and address weaknesses. Abolishing legislations, rules and regulations that were made by the former regime.

#### 8. Constitutional amendments:

Building a common vision for constitutional amendments to overcome previous loopholes and improve the efficiency of the political system and support the nation's stability (examples include the dispute over the definition of the "largest bloc", fluid timetables for transfer of power, etc).

#### 9. National priorities:

Since the Council deals with the highest policies of the nation, the matter requires adopting the following pattern:

1. Defining the concept of national reconciliation
2. Defining the objectives that must be met to achieve national reconciliation
3. Designing the grand strategy (the policies required to achieve the objectives), by defining the tasks, assigning duties, timeframes, alternatives, etc.

#### 10. General considerations:

- a. This Council does not act against the constitution
- b. Technical meetings shall be held with concerned ministers and advisers.
- c. The political meetings of the Council are convened by the presence of the members as explained above above.
- d. The duties, specialties and decision-making mechanism are to be decided, and shall become part of the Council's internal charter.
- e. This Council is established by law for one electoral cycle, and may be extended for more than one cycle according to future agreements among the members of the council of representatives.
- f. The decisions and recommendations of the Council are binding to all concerned entities.
- g. The Council reserves the right to establish permanent or temporary commissions or workgroups to address specific issues.

[http://iraqthemodel.blogspot.com/2010\\_12\\_01\\_archive.html](http://iraqthemodel.blogspot.com/2010_12_01_archive.html)