

**LIST OF CONSTITUTIONAL LAWS TO BE LEGISLATED  
BY IRAQI COUNCIL OF REPRESENTATIVES RELATED  
TO STATE BUILDING**

	<b>TITLE OF LAW</b>	<b>ARTICLE OF IRAQI CONSTITUTION</b>
1.	<b>Law on Official Languages</b>	<b>Article 4</b> <b>Second:</b> The scope of the term “official language” and the means of applying the provisions of this article shall be defined by a law and shall include:  A. Publication of the Official Gazette, in the two languages;  B. Speech, conversation, and expression in official domains, such as the Council of Representatives, the Council of Ministers, courts, and official conferences, in either of the two languages;  C. Recognition and publication of official documents and correspondence in the two languages;  D. Opening schools that teach the two languages, in accordance with the educational guidelines;  E. Use of both languages in any matter enjoined by the principle of equality such as bank notes, passports, and stamps.
2.	<b>Law on Iraqi Intelligence Department</b>	<b>Article 9</b> D- The Iraqi National Intelligence Service shall collect information, assess threats to national security, and advise the Iraqi

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		government. This Service shall be under civilian control, shall be subject to legislative oversight, and shall operate in accordance with the law and pursuant to the recognized principles of human rights.
3.	<b>Law on establishing national symbols</b> (flag, anthem, emblem of Iraq)	<p><b>Article 12</b>  <u>First:</u> The flag, national anthem, and emblem of Iraq shall be regulated by law in a way that symbolizes the components of the Iraqi people.</p>
4.	<b>Law on official holiday and decorations</b>	<p><b>Article 12</b>  <u>Second:</u> A law shall regulate honors, official holidays, religious and national occasions and the Hijri and Gregorian calendar</p>
5.	<b>Law on citizenship</b>	<p><b>Article 18</b>  <u>First:</u> Iraqi citizenship is a right for every Iraqi and is the basis of his nationality.  <u>Second:</u> Anyone who is born to an Iraqi father or to an Iraqi mother shall be considered an Iraqi. This shall be regulated by law.  <u>Third:</u></p> <ul style="list-style-type: none"> <li>A. An Iraqi citizen by birth may not have his citizenship withdrawn for any reason. Any person who had his citizenship withdrawn shall have the right to demand its reinstatement. This shall be regulated by a law.</li> <li>B. Iraqi citizenship shall be withdrawn from naturalized citizens in cases regulated by law.</li> </ul> <p><u>Fourth:</u> An Iraqi may have multiple citizenships. Everyone who assumes a senior, security or sovereign position must abandon any other acquired</p>

		<p>citizenship. This shall be regulated by law.</p> <p><u>Fifth:</u> Iraqi citizenship shall not be granted for the purposes of the policy of population settlement that disrupts the demographic composition of Iraq.</p> <p><u>Sixth:</u> Citizenship provisions shall be regulated by law. The competent courts shall consider the suits arising from those provisions.</p>
6.	<p><b>Laws on structure, procedures, administration of and regulations for the Federal Judicial Authority</b> (including court system)</p>	<p><b>Article 19</b>  <u>First:</u> The judiciary is independent and no power is above the judiciary except the law.</p> <p><b>Article 87</b>  The judicial power is independent. The courts, in their various types and levels, shall assume this power and issue decisions in accordance with the law.</p> <p><b>Article 88</b>  Judges are independent, and there is no authority over them except that of the law. No power shall have the right to interfere in the judiciary and the affairs of justice.</p> <p><b>Article 89</b>  The federal judicial power is comprised of the Higher Juridical Council, the Federal Supreme Court, the Federal Court of Cassation, the Public Prosecution Department, the Judiciary Oversight Commission, and other federal courts that are regulated in accordance with the law.</p> <p><b>Article 95</b>  The establishment of special or extraordinary courts is prohibited.</p> <p><b>Article 96</b>  The law shall regulate the establishment of courts, their types, levels, and jurisdiction, and the method of appointing and the terms of service of judges and public prosecutors, their discipline, and their retirement.</p>

		<p><b>Article 97</b> Judges may not be removed except in cases specified by law. Such law will determine the particular provisions related to them and shall regulate their disciplinary measures.</p> <p><b>Article 98</b> A judge or public prosecutor is prohibited from the following: <u>First</u>: Combining a judicial position with legislative and executive positions and any other employment. <u>Second</u>: Joining any party or political organization or performing any political activity.</p> <p><b>Article 100</b> It is prohibited to stipulate in the law the immunity from appeal for any administrative action or decision.</p> <p><b>Article 101</b> A State Council may be established, specialized in functions of the administrative judiciary, issuing opinions, drafting, and representing the State and various public commissions before the courts except those exempted by law.</p>
7.	<b>Law on capital investment</b>	<p><b>Article 24</b> The State shall guarantee freedom of movement of Iraqi manpower, goods, and capital between regions and governorates, and this shall be regulated by law.</p> <p><b>Article 26</b> The State shall guarantee the encouragement of investment in the various sectors, and this shall be regulated by law.</p>
8.	<b>Law on property (private and public)</b>	<p><b>Article 23</b> <u>First</u>: Private property is protected. The owner shall have the right to benefit, exploit and dispose of private property</p>

	<p><b>Law on Public Finances</b> <b>Law on Public Audit</b></p>	<p>within the limits of the law.  <u>Second:</u> Expropriation is not permissible except for the purposes of public benefit in return for just compensation, and this shall be regulated by law.  <u>Third:</u>  A. Every Iraqi shall have the right to own property anywhere in Iraq. No others may possess immovable assets, except as exempted by law.  B. Ownership of property for the purposes of demographic change is prohibited.  <b>Article 27</b>  <u>First:</u> Public assets are sacrosanct, and their protection is the duty of each citizen.  <u>Second:</u> The provisions related to the preservation of State properties, their management, the conditions for their disposal, and the limits for these assets not to be relinquished shall all be regulated by law.</p>
9.	<p><b>Law on taxes</b></p>	<p><b>Article 28</b>  <u>First:</u> No taxes or fees shall be levied, amended, collected, or exempted, except by law.  <u>Second:</u> Low income earners shall be exempted from taxes in a way that guarantees the preservation of the minimum income required for living. This shall be regulated by law.</p>
10.	<p><b>Law on parliamentary elections</b></p>	<p><b>Article 49</b>  <u>Third:</u> A law shall regulate the requirements for the candidate, the voter, and all that is related to the elections.  <u>Fourth:</u> The elections law shall aim to achieve a percentage of representation for women of not less than one-quarter of the members of the Council of Representatives.</p>

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		<p><u>Fifth:</u> The Council of Representatives shall promulgate a law dealing with the replacement of its members on resignation, dismissal, or death.</p> <p><u>Sixth:</u> It is not permissible to combine membership in the Council of Representatives with any work or other official position.</p>
11.	<b>Law on ratifying international treaties</b>	<p><b>Article 61</b></p> <p><u>Fourth:</u> Regulating the ratification process of international treaties and agreements by a law, to be enacted by a two-thirds majority of the members of the Council of Representatives.</p>
12.	<b>Law on state of emergency</b>	<p><b>Article 61</b></p> <p><u>Ninth:</u></p> <p>A. To consent to the declaration of war and the state of emergency by a two-thirds majority based on a joint request from the President of the Republic and the Prime Minister.</p> <p>B. The state of emergency shall be declared for a period of thirty days, which can be extended after approval each time.</p> <p>C. The Prime Minister shall be delegated the necessary powers which enable him to manage the affairs of the country during the period of the declaration of war and the state of emergency. These powers shall be regulated by a law in a way that does not contradict the Constitution.</p> <p>D. The Prime Minister shall present to the Council of Representatives the measures taken and the results during the period of the declaration of war and the state of emergency within 15 days from the date of its end.</p>
13.	<b>Law on rights and privileges of Members or the Iraqi Council</b>	<p><b>Article 63</b></p> <p><u>First:</u> A law shall regulate the rights and</p>

	<p><b>of Representatives</b></p>	<p>privileges of the speaker of the Council of Representatives, his two deputies, and the members of the Council of Representatives.</p> <p><b>Second:</b></p> <p>A. A member of the Council of Representatives shall enjoy immunity for statements made while the Council is in session, and the member may not be prosecuted before the courts for such.</p> <p>B. A Council of Representatives member may not be placed under arrest during the legislative term of the Council of Representatives, unless the member is accused of a felony and the Council of Representatives members consent by an absolute majority to lift his immunity or if he is caught <i>in flagrante delicto</i> in the commission of a felony.</p> <p>C. A Council of Representatives member may not be arrested after the legislative term of the Council of Representatives, unless the member is accused of a felony and with the consent of the speaker of the Council of Representatives to lift his immunity or if he is caught <i>in flagrante delicto</i> in the commission of a felony.</p> <p><b>Article 127</b></p> <p>The President of the Republic, the Prime Minister, members of the Council of Ministers, the Speaker of the Council of Representatives, his two Deputies, members of the Council of Representatives, members of the Judicial Authority, and people of special grades may not use their influence to buy or rent any state properties, to rent or sell any of their assets to the state, to sue the state for these assets, or to conclude a contract with the</p>
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		state under the pretense of being building contractors, suppliers, or concessionaires.
14.	<b>Law on Federation Council</b>	<p><b>Article 65</b> 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.</p> <p><b>Article 137</b> Application of the provisions of the articles related to the Federation Council, wherever it may be cited in this Constitution, shall be postponed until the Council of Representatives issues a decision by a two-thirds majority vote in its second electoral term that is held after this Constitution comes into force.</p>
15.	<b>Law on the Federal Executive Power</b> (role, structure, responsibilities, nomination/appointment, procedures, salary, powers of the President and Council of Ministers/Prime Minister, internal structures and procedures of Cabinet, ministries, authorities of the minister)	<p><b>Article 66</b> 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.</p> <p><b>Article 67-75</b> <b>Article 76-83</b> <b>Article 86</b> A law shall regulate the formation of ministries, their functions, and their specializations, and the authorities of the minister.</p> <p><b>Article 85</b> The Council of Ministers shall establish internal bylaws to organize the work therein.</p>

		<p><b>Article 109-110</b></p> <p><b>Article 112-115</b></p> <p><b>Article 127</b></p> <p>The President of the Republic, the Prime Minister, members of the Council of Ministers, the Speaker of the Council of Representatives, his two Deputies, members of the Council of Representatives, members of the Judicial Authority, and people of special grades may not use their influence to buy or rent any state properties, to rent or sell any of their assets to the state, to sue the state for these assets, or to conclude a contract with the state under the pretense of being building contractors, suppliers, or concessionaires.</p> <p><b>Article 135</b></p> <p><u>Third</u>: A nominee to the positions of the President of the Republic, the Prime Minister, the members of the Council of Ministers, the Speaker, the members of the Council of Representatives, the President, members of the Federation Council, their counterparts in the regions, or members of the judicial commissions and other positions covered by de-Ba'athification statutes pursuant to the law may not be subject to the provisions of de-Ba'athification.</p> <p><u>Fourth</u>: The conditions stated in clause "Third" of this Article shall remain in force unless the Commission stated in item "First" of this Article is dissolved.</p> <p><u>Fifth</u>: Mere membership in the dissolved Ba'ath party shall not be considered a sufficient basis for referral to court, and a member shall enjoy</p>
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		<p>equality before the law and protection unless covered by the provisions of De-Ba'athification and the directives issued according to it.</p> <p><b>Article 138</b>  <u>First:</u> The expression “the Presidency Council” shall replace the expression “the President of the Republic” wherever the latter is mentioned in this Constitution. The provisions related to the President of the Republic shall be reactivated one successive term after this Constitution comes into force.</p>
16.	<b>Law on National Intelligence Service and other security institutions</b>	<p><b>Article 84</b>  <u>First:</u> A law shall regulate the work and define the duties and authorities of the security institutions and the National Intelligence Service, which shall operate in accordance with the principles of human rights and shall be subject to the oversight of the Council of Representatives.  <u>Second:</u> The National Intelligence Service shall be attached to the Council of Ministers</p>
17.	<b>Laws on: Higher Judicial Council, Federal Supreme Court, Federal Court of Cassation Public Prosecutors Department Judiciary Oversight Commission</b>	<p><b>Article 89</b>  The federal judicial power is comprised of the Higher Juridical Council, the Federal Supreme Court, the Federal Court of Cassation, the Public Prosecution Department, the Judiciary Oversight Commission, and other federal courts that are regulated in accordance with the law.</p> <p><b>Article 90-91</b>  <b>Article 92-94</b></p>
18.	<b>Law on military courts</b>	<p><b>Article 99</b>  A law shall regulate the military judiciary and shall specify the jurisdiction of military courts, which are limited to crimes of a military nature</p>

		committed by members of the armed forces and security forces, and within the limits established by law.
19.	<p><b>Laws on:</b></p> <ul style="list-style-type: none"> <li>▪ <b>High Commission on Human Rights (done)</b></li> <li>▪ <b>Independent Electoral Commission (done)</b></li> <li>▪ <b>Commission on Public Integrity (done)</b></li> </ul>	<p><b>Article 102</b></p> <p>The High Commission for Human Rights, the Independent Electoral Commission, and the Commission on Public Integrity are considered independent commissions subject to monitoring by the Council of Representatives, and their functions shall be regulated by law.</p>
20.	<p><b>Laws on:</b></p> <ul style="list-style-type: none"> <li>▪ <b>Central Bank of Iraq</b></li> <li>▪ <b>Board of Supreme Audit</b></li> <li>▪ <b>Communication and Media Commission</b></li> <li>▪ <b>Endowment Commissions</b></li> <li>▪ <b>The Martyrs' Foundation</b></li> </ul>	<p><b>Article 103</b></p> <p><u>First:</u> The Central Bank of Iraq, the Board of Supreme Audit, the Communication and Media Commission, and the Endowment Commissions are financially and administratively independent institutions, and the work of each of these institutions shall be regulated by law.</p> <p><u>Second:</u> The Central Bank of Iraq is responsible before the Council of Representatives. The Board of Supreme Audit and the Communication and Media Commission shall be attached to the Council of Representatives.</p> <p><u>Third:</u> The Endowment Commissions shall be attached to the Council of Ministers.</p> <p><b>Article 104</b></p> <p>A commission named The Martyrs' Foundation shall be established and attached to the Council of Ministers, and its functions and competencies shall be regulated by law.</p>
21.	<p><b>Law on Federal Commission managing Equitable Allocation</b></p>	<p><b>Article 105</b></p> <p>A public commission shall be</p>

	<b>of Public Employment, foreign missions and so on for regions and governorates not organized in a region</b>	established to guarantee the rights of the regions and governorates that are not organized in a region to ensure their fair participation in managing the various state federal institutions, missions, fellowships, delegations, and regional and international conferences. The commission shall be comprised of representatives of the federal government and representatives of the regions and governorates that are not organized in a region, and shall be regulated by a law.
22.	<b>Law on Federal Commission to audit and appropriate federal revenues</b>	<p><b>Article 106</b></p> <p>A public commission shall be established by a law to audit and appropriate federal revenues. The commission shall be comprised of experts from the federal government, the regions, the governorates, and its representatives, and shall assume the following responsibilities:</p> <p><u>First</u>: To verify the fair distribution of grants, aid, and international loans pursuant to the entitlement of the regions and governorates that are not organized in a region.</p> <p><u>Second</u>: To verify the ideal use and division of the federal financial resources.</p> <p><u>Third</u>: To guarantee transparency and justice in appropriating funds to the governments of the regions and governorates that are not organized in a region in accordance with the established percentages.</p>
23.	<b>Law on Federal Public Service Council [done]</b>	<p><b>Article 107</b></p> <p>A council named the Federal Public Service Council shall be established and shall regulate the affairs of the federal public service, including appointments</p>

		and promotions, and its formation and competencies shall be regulated by law.
24.	<b>Law on production of oil and gas and distribution of oil and gas revenues</b>	<p><b>Article 111</b> Oil and gas are owned by all the people of Iraq in all the regions and governorates.</p> <p><b>Article 112</b> <u>First:</u> The federal government, with the producing governorates and regional governments, shall undertake the management of oil and gas extracted from present fields, provided that it distributes its revenues in a fair manner in proportion to the population distribution in all parts of the country, specifying an allotment for a specified period for the damaged regions which were unjustly deprived of them by the former regime, and the regions that were damaged afterwards in a way that ensures balanced development in different areas of the country, and this shall be regulated by a law.</p> <p><u>Second:</u> The federal government, with the producing regional and governorate governments, shall together formulate the necessary strategic policies to develop the oil and gas wealth in a way that achieves the highest benefit to the Iraqi people using the most advanced techniques of the market principles and encouraging investment.</p>
25.	<b>Law on national treasures</b>	<p><b>Article 113</b> Antiquities, archeological sites, cultural buildings, manuscripts, and coins shall be considered national treasures under the jurisdiction of the federal authorities, and shall be managed in cooperation with the regions and governorates, and this shall be regulated by law.</p>

26.	<p><b>Law on administrative structure of Iraq</b> and delegation of powers between federal and local government(decentralization)</p>	<p><b>Article 116</b> The federal system in the Republic of Iraq is made up of a decentralized capital, regions, and governorates, as well as local administrations.</p> <p><b>Article 123</b> Powers exercised by the federal government can be delegated to the governorates or vice versa, with the consent of both governments, and this shall be regulated by law.</p>
27.	<p><b>Law on Executive Procedures to Form Regions [Law nr. ...]</b></p>	<p><b>Article 116-121</b></p>
28.	<p><b>Law on Governorates not organized in Regions [Law nr. 21/2208]</b></p>	<p><b>Article 122-123</b></p>
29.	<p><b>Law on status of Baghdad</b></p>	<p><b>Article 124</b> <u>First:</u> Baghdad in its municipal borders is the capital of the Republic of Iraq and shall constitute, in its administrative borders, the governorate of Baghdad. <u>Second:</u> This shall be regulated by a law. <u>Third:</u> The capital may not merge with a region.</p>
30.	<p><b>Law on laws</b></p>	<p><b>Article 128</b> The laws and judicial judgments shall be issued in the name of the people.</p> <p><b>Article 129</b> Laws shall be published in the Official Gazette and shall take effect on the date of their publication, unless stipulated otherwise.</p> <p><b>Article 130</b> Existing laws shall remain in force, unless annulled or amended in accordance with the provisions of this Constitution.</p> <p><b>Article 138</b> <u>Fifth:</u></p>

	<p>A. Legislation and decisions enacted by the Council of Representatives shall be forwarded to the Presidency Council for their unanimous approval and for its issuance within ten days from the date of delivery to the Presidency Council, except the stipulations of Articles 118 and 119 that pertain to the formation of regions</p> <p>B. In the event the Presidency Council does not approve, legislation and decisions shall be sent back to the Council of Representatives to reexamine the disputed issues and to vote on them by the majority of its members and then shall be sent for the second time to the Presidency Council for approval.</p> <p>C. In the event the Presidency Council does not approve the legislation and decisions for the second time within ten days of receipt, the legislation and decisions are sent back to the Council of Representatives, which has the right to adopt it by three-fifths majority of its members, which may not be challenged, and the legislation or decision shall be considered ratified.</p> <p><b>Article 141</b> Legislation enacted in the region of Kurdistan since 1992 shall remain in force, and decisions issued by the government of the region of Kurdistan, including court decisions and contracts, shall be considered valid unless they are amended or annulled pursuant to the laws of the region of Kurdistan by the competent entity in the region, provided that they do not contradict with the Constitution.</p> <p><b>Article 120</b> Each region shall adopt a constitution of its</p>
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		own that defines the structure of powers of the region, its authorities, and the mechanisms for exercising such authorities, provided that it does not contradict this Constitution.
31.	<b>Law on High Commission for De-Ba'athification [Law nr. ...]</b>	<b>Article 135</b>
32.	<b>Law on Property Claims Commission</b>	<b>Article 136</b>