

Provincial Politics in Iraq

Fragmentation or New Awakening?

Annexes

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Annex 1: Coalition Provisional Authority Order 71*

Local Governmental Powers

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant UN Security Council resolutions, including Resolutions 1483 and 1511 (2003);

Recalling that the CPA has recognized the Governing Council as the principal body of the Iraqi interim administration, pending the establishment of an internationally recognized, representative government by the people of Iraq, consistent with Resolutions 1483 and 1511, and that the Governing Council, in performing its functions on behalf of the people of Iraq, has appointed Interim Ministers to exercise responsibility for the daily administration of the Iraqi Ministries;

Recalling the adoption of the Transitional Administrative Law (TAL) on 8 March 2004 to govern the affairs of Iraq during the transitional period from 30 June 2004 until a duly elected government, operating under a permanent and legitimate constitution achieving full democracy shall come into being;

Noting that the system of government in Iraq shall be republican, federal, democratic, and pluralistic, and powers shall be shared between the federal government and the regional governments, governorates (also known as provinces), municipalities, and local administrations and that each Governorate shall have the right to form a Governorate Council, name a Governor and form municipal and local councils and that regions and governorates shall be organized on the basis of the principle of de-centralization and the devolution of authorities to municipal and local governments;

Recognizing the Kurdistan Regional Government as the official government of the territories that were administered by that government on 19 March 2003 in the governorates of Dahuk, Arbil, Sulaymaniya, Kirkuk, Diyala and Nineveh, and its right to continue its current functions throughout the transitional

period, except with regard to those issues which fall within the exclusive competence of the federal government;

Emphasizing that, consistent with Resolution 1483, the Governing Council and the CPA, each in coordination with the United Nations, are dedicated to working together in a cooperative and consultative process for the benefit of the Iraqi people;

I hereby promulgate the following:

Section 1 Purpose

This Order describes the authorities and responsibilities of the governorate, municipal and local levels of government. It implements the principle of decentralization of governing power embodied in the TAL. By appropriately empowering government bodies at the governorate, municipal and local levels, the Order is designed to improve the delivery of public services to the Iraqi people and make the Iraqi government more responsive to their needs. This Order encourages the exercise of local authority by local officials in every region and governorate; recognizes the Kurdistan Regional Government; and shall have no effect on the administration of the territories under that government's jurisdiction on 19 March 2003 in the governorates of Dahuk, Arbil, Sulaymaniya, Kirkuk, Diyala and Nineveh.

Section 2 Governorate Councils

1) Each Governorate may form a Governorate Council, which shall be funded from national budget allocations that are separate from the budgets of the ministries and other national institutions.

2) The Governorate Councils may set priorities for the provinces; amend, by two-thirds vote, a specific

* Issued April 6, 2004.

local project described in an annual ministry budget plan, provided that no such amendment shall increase the spending limits set forth in the ministry plans, or interfere with the efficient and uniform execution of national objectives as implemented by specific programs; monitor and recommend improvements in the delivery of public services; represent the concerns of constituents; independently generate and collect revenues by imposing taxes and fees; organize the operations of the provincial administration; initiate and implement provincial projects alone or in partnership with international and nongovernmental organizations; and conduct other activities, consistent with applicable laws.

3) Governorate Councils shall perform their responsibilities independently from the control or supervision of any ministry. Governorate Councils may, by majority vote, and within two weeks following the appointment, approve or veto the appointment by the ministries of Directors General and local ministerial officials for positions designated as “senior positions” by the Administrator (which designations shall be set forth in an appendix to this Order); establish subcommittees and convene meetings of, or request reports and testimony from, the Directors General; and remove Directors General and officials occupying designated “senior positions” for cause as defined in this Order, by a two thirds vote for removal, provided that Directors General whose official responsibilities directly affect more than one province may be removed only if each of the Governorate Councils responsible for the provinces so affected votes for removal as specified herein. As used in this Order, the term “Director General” shall not apply to the Presidents of Universities in Iraq.

4) The members of each Governorate Council shall be selected in accordance with criteria agreed upon by the Governing Council and CPA. All individuals who hold office as Governorate Council members on the effective date of this Order shall continue to hold such office. Should vacancies occur Governorate Councils may add new members who meet the eligibility requirements set forth in Article 31 of the TAL,

through a fair, open and competitive selection process agreed to by two thirds majority of the Governorate Council. Elections for Governorate Councils will take place at the same time as elections for the National Assembly, no later than 31 January 2005.

5) The Governorate Councils are hereby authorized to select and appoint Governors and Deputy Governors. Governors and Deputy Governors selected by Governorate Councils prior to the date of this Order are hereby appointed. The Governorate Councils may remove Governors and Deputy Governors for cause as specified in this Order, upon a two-thirds vote. Should vacancies in the positions of Governor or Deputy Governor occur, Governorate Councils may elect a new Governor or Deputy Governor through majority vote of the Council.

Section 3 Governors and Deputy Governors

1) The Governor is the head civil official of a Governorate and is accountable to the Governorate Council. The Governor shall direct, coordinate and oversee actions in implementation of the Governorate Council’s decisions. The Governor shall be selected, dismissed and replaced in accordance with subsection 2(5) of this Order.

2) The Deputy Governors report to the Governor and the most senior Deputy Governor (based on length of public service) shall assume the role of the Governor in the latter’s absence.

3) Governors and Deputy Governors may attend the regular meetings of the Governorate Councils as non-voting members.

4) Governors shall appoint governorate officials, provided that their appointments of Directors General serving directly on the governorate staff and other senior positions, as defined by the Administrator, shall be subject to the approval by majority vote of the Governorate Councils within two weeks following the appointment, except for Directors General, who shall

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be appointed and removed as specified in Section 2(3) of this Order. Governors shall exercise final authority to remove those officials who they are authorized to appoint, subject to the concurrence, by majority vote, of the Governorate Council.

5) To encourage consistent development and application of policies regarding regional matters, Governors shall regularly coordinate with each other on matters of common interest.

Section 4 Local Councils

1) Each Governorate may, by majority vote, form sub-provincial regional councils, municipal councils and other relevant local councils organized geographically, such as Qada' and Nahiya, City Councils, Beladiya Councils and Hayy Councils, as necessary to achieve greater efficiency and economies of scale in coordinating the provision of public services, and to facilitate unified and coordinated administration of cities. Local councils are responsible for representing their constituents; ensuring that public services respond to local needs; organizing the operations of the local administration; reviewing local ministry plans; collecting and retaining local revenues, taxes and fees; identifying local budgetary requirements through the national budgeting process; and recommending appropriate action to Governorate Councils with respect to government officials, on the basis of misconduct, inefficiency or Baathist Party affiliation. They shall assist in initiating and implementing local projects alone or in conjunction with international and non-governmental organizations; and conducting other activities as are granted to them by Governorate Councils, consistent with applicable law.

2) The members of each local council, including the Chair, shall be selected in accordance with regulations approved by majority vote of the Governorate Council. All local councils in existence on the date of this Order, and all individuals who hold office as members of such councils of the date of this Order, shall continue to exist and hold office unless removed in accordance with this Order.

3) Local councils shall, by majority vote, elect Mayors and Deputy Mayors. Mayors and Deputy Mayors selected by local councils prior to the date of this Order shall continue to hold office, unless removed in accordance with this Order. Local councils may remove Mayors and Deputy Mayors upon a two-thirds vote. Should vacancies occur in the positions of Mayor or Deputy Mayor, local councils may elect a new Mayor or Deputy Mayor through majority vote of the council.

Section 5 Mayors and Deputy Mayors

1) Mayors (in Arabic "Mudeer al-Nahia," "Qaim Maqam," and "Ameen") are the senior administrators of local councils and are accountable to the local council. Mayors shall direct, coordinate and oversee actions in implementation of decisions of the local councils, and shall serve as the primary liaison between the local councils and the Governors.

2) Mayors shall be elected and removed pursuant to section 4(3) of this Order.

3) The Deputy Mayors report to the Mayor and the most senior Deputy Mayor (based on length of public service) shall assume the role of the Mayor in the absence of the latter official.

4) Mayors and Deputy Mayors may attend the regular meetings of the local councils as nonvoting members.

5) Mayors shall appoint local government officials, provided that their appointments of Directors General serving directly on the local government staff and other senior positions, as defined by the Administrator, shall be subject to the approval, by majority vote, of the local council, within two weeks following the appointment. Mayors may, for cause as defined under this Order, remove those officials whom they are authorized to appoint, subject to the concurrence, by majority vote, of the local council.

6) Mayors shall meet regularly with all Directors General within their geographic areas of responsibility to

monitor, and where authorized by applicable laws and regulations to direct, the delivery of public services.

7) Mayors shall meet regularly with other Mayors to ensure that services are being provided equitably and efficiently.

Section 6 Chiefs of Police

1) Within each Governorate, there shall be a Chief of Police, responsible for overseeing all civil law enforcement activities within the Governorate.

2) Chief of Police vacancies will be advertised nationally by the Ministry of Interior and the Governorate Council shall be notified of such vacancies. Applications for Chief of Police positions shall be sent to the Ministry of Interior, which shall identify fully qualified applicants and provide the names of those applicants to the Governorate Council in a timely manner. The Governorate Council shall, upon a majority vote within two weeks following its receipt of the names of fully qualified applicants from the Ministry of Interior, select the most suitable candidate from these nominees. Chiefs of Police shall be appointed to a 3-year term, which may be renewed.

3) Chiefs of Police may be removed by the Minister of Interior, or by the Governorate Council upon two-thirds majority vote, for cause as defined in this Order.

4) Under the supervision of the Minister of Interior, the Chief of Police shall prepare an annual policing plan that will take into account local and national priorities. The Governorate Council and Governor will ensure that the Chief of Police is responsive to local policing requirements. Annual policing plans shall become effective upon approval, by two-thirds majority, of the Governorate Council, which shall monitor the implementation of this plan by the Chief of Police. Chiefs of Police shall consult regularly with the relevant Governor and Governorate Council and shall meet weekly with the Governorate Council, or otherwise as agreed.

5) Local police chief vacancies will be advertised by the Ministry of Interior at least within the relevant Province, and the Governorate Council shall be notified of such vacancies. Applications for local police chief positions shall be sent to the Ministry of Interior, which shall identify fully qualified applicants and provide the names of those applicants to the Governorate Council in a timely manner. The Governorate Council shall, upon a majority vote, select the most suitable candidate from these nominees. Local police chiefs shall be appointed to a 3-year term, which may be renewed.

6) Local police chiefs may be removed by a two-thirds majority vote of the relevant Governorate Council for cause, as defined in this Order.

Section 7 Grounds for Removal

1) Members of Governorate Councils, Governors and Deputy Governors, members of Local Councils, Mayors and Deputy Mayors, Chiefs of Police and local police induct in and out of office, dereliction of duty, or abuse of office.

3) Officials listed in Section 7(1) of this order who are removed for cause as defined herein, and the subordinates of such officials who are removed in accordance with existing Iraqi law on similar grounds, shall be barred from holding any position in the Iraqi government for a period of five years following the removal.

4) Individuals who are removed from public office and barred from public service under section 7(2), above, shall have the right to bring suit in Iraqi courts and obtain redress in the form of reinstatement to public office, upon the court's determination that the removal was wrongful.

Section 8 Effect on Other Laws

1) Any provision of Iraqi law, including but not limited to Law No. 159 of 1969, that is inconsistent with this Order is hereby suspended to the extent of such inconsistency, provided, however, that noth-

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ing in this Order shall be construed to eliminate or reduce the authority of provincial or regional government entities under existing Iraqi laws, and regulations to generate, assess, collect, retain, administer or expend taxes, fees, assessments and other similar revenues. Provincial and local government entities may generate, assess, collect, retain, administer and expend taxes, fees, assessments and other similar revenues under existing Iraqi law, including the Income of Municipalities Law, No. 130 of 1963, as amended. Notwithstanding existing Iraqi law, Governorates are

hereby authorized to impose althma'am of no greater than 5 percent of relevant taxes.

2) Except as otherwise specified in this Order, local government officials shall be hired and dismissed in accordance with applicable Iraqi law.

Section 9 Entry into Force

This Order shall enter into force on the date of signature.

Annex 2: Coalition Provisional Authority Order 100*

Transition of Laws, Regulations, Orders, and Directives Issued by the Coalition Provisional Authority

Reaffirming that the laws, regulations, orders, memoranda, instructions and directives of the CPA remain in force unless and until rescinded or amended by legislation duly enacted and having the force of law, as set forth in Article 26(C) of the Law of Administration for the State of Iraq for the Transitional Period (“TAL”);

Recognizing that the Government of Iraq will be responsible for interpreting and implementing these laws, regulations, orders, memoranda, instructions and directives following the transfer of full governing authority on 30 June 2004;

Noting that many of these laws, regulations, orders, memoranda, instructions and directives require technical amendment and/or rescission to properly reflect the transfer of full governing authority and the dissolution of the Coalition Provisional Authority on 30 June 2004;

Section 2: General Rules

2) All powers, authorities, and responsibilities granted to the CPA under any law, regulation, order, memorandum, instruction or directive of the CPA transfer to the Federal Government and shall be exercised pursuant to law, including the TAL and its Annex. [AQ: is this suppose to be “1” instead of “2”?]

26) CPA Order Number 71, Local Government Powers [AQ: “26” doesn’t seem to fit here. Related to above query, maybe this one is suppose to be “2”]

a) The following sentence shall be appended to the end of Section 2(3): “After the transfer of authority on 30

June 2004, additional positions may be designated as ‘senior positions’ by the Prime Minister with approval of the Presidency Council.”

b) Section 2(4) shall be rescinded in its entirety.

c) The current Section 3(5) shall become Section 3(7).

d) A new Section 3(5) shall provide as follows: “At least two weeks prior to any Governorate Council vote on whether to remove a Director General pursuant to Section 3(4) of this Order, the Governorate Council shall notify in writing the relevant Ministry that such a vote will be held. The Ministry may avail itself of this two week period to hold consultations with the Governor and Governorate Council regarding the proposed removal of the Director General. Only at the conclusion of this two week period may the Governorate Council bring the proposed removal to a vote.”

e) A new Section 3(6) shall provide as follows: “Notwithstanding any provision of this Order or any other law, the removal of a Director General or an official in a designated senior position may be suspended for 6 months upon the Prime Minister’s certification in writing that such removal will cause significant damage to national security and upon the unanimous approval of that certification by the Presidency. To continue the suspension of a removal vote for another 6 months, the Prime Minister must recertify in writing that the removal will cause significant damage to national security and the Presidency must unanimously approve that certification.”

f) The current Section 9 shall become Section 10.

* Issued June 28, 2004

Annex 3: Iraqi Constitution, 2005: Excerpts on Formation of Regions

Section Five: Powers of the Regions

Chapter One: Regions

Article 112:

The federal system in the Republic of Iraq is made up of a decentralized capital, regions and governorates, and local administrations.

Article 113:

First: This Constitution shall approbate the region of Kurdistan and its existing regional and federal authorities, at the time this constitution comes into force.

Second: This Constitution shall approbate new regions established in accordance with its provisions.

Article 114:

The Council of Representatives shall enact, in a period not to exceed six months from the date of its first session, a law that defines the executive procedures to form regions, by a simple majority.

Article 115:

One or more governorates shall have the right to organize into a region based on a request to be voted on in a referendum submitted in one of the following two methods:

- a) A request by one-third of the council members of each governorate intending to form a region.
- b). A request by one-tenth of the voters in each of the governorates intending to form a region.

Article 116:

The region shall adopt a constitution that defines the structure of the regional government, its authorities and the mechanisms of exercising these authorities provided that it does not contradict with this Constitution.

Article 117:

First: The regional authorities shall have the right to exercise executive, legislative, and judicial authority in accordance with this constitution, except for those powers stipulated in the exclusive powers of the federal government.

Second: In case of a contradiction between regional and national legislation in respect to a matter outside the exclusive powers of the federal government, the regional authority shall have the right to amend the application of the national legislation within that region.

Third: Regions and governorates shall be allocated an equitable share of the national revenues sufficient to discharge its responsibilities and duties, but having regard to its resources, needs and the percentage of its population.

Fourth: The regions and governorates shall establish offices in the embassies and diplomatic missions, in order to follow up cultural, social and developmental affairs.

Fifth: The Regional Government shall be responsible for all the administrative requirements of the region, particularly the establishment and organization of the internal security forces for the region such as police, security forces and guards of the region.

Annex 4: Iraqi Constitution, 2005: Excerpts on Unincorporated Governorates

Chapter Two: Governorates That Are Not Incorporated into a Region

Article 118:

First: The governorates shall be made up of number of districts, sub-districts and villages.

Second: Governorates that are not incorporated in a region shall be granted broad administrative and financial authorities to enable it to manage its affairs in accordance with the principle of decentralized administration. This will be organized by law.

Third: The governor, who is elected by the Governorate Council, is the highest executive official in the governorate to practice his powers authorized by the council.

Fourth: A law shall regulate the election of the Governorate Council, the governor and their powers.

Fifth: The governorate council shall not be subject to the control or supervision of any ministry or any institution not linked to a ministry. The governorate council shall have an independent finance.

Article 119:

Powers exercised by the federal government can be delegated to the governorates or vice versa, with the consent of both governments and shall be regulated by law.

Chapter Three: The Capital

Article 120:

First: Baghdad with its municipal borders is the capital of the Republic of Iraq and shall constitute, with its administrative borders, the governorate of Baghdad.

Second: A law shall regulate the status of the capital.

Third: The capital may not merge with a region.

Annex 5: January 2005 Iraqi Election Results by Province

1. Baghdad

Governor: Hussain al-Tahan, a member of ISCI

PARTY	VOTES	SEATS
Baghdad Nation (ISCI and Badr)	694,800	28
Baghdad Peace (Dawa factions)	264,130	11
Islamic al-Fadhila Party	156,229	6
Iraqi Communist Party	36,713	2
National Democratic Alliance	46,265	2
Iraqi Independent al-Bayan Gathering	34,366	1
National Independent Cadres and Elites (Sadrist)	35,441	1
TOTAL VALID BALLOTS	1,750,772	51
INVALID BALLOTS	21,600	

2. Salah al-Din

Governor: Hamed Hamood Shekti al-Qaisi's, affiliation unknown

PARTY	VOTES	SEATS
List of the Unified Democratic Coalition in Salah al-Din Governorate (KDP and PUK)	22,160	8
Liberation & Reconciliation Gathering	17,017	6
Coalition of the Iraqi National Unity	13,321	5
Iraqi Turkmen Front	14,917	5
Unified List	12,815	4
Iraqi National Accord	10,215	3
Islamic Dawa Party	8,691	3
National Iraqi Gathering	8,641	3
Gathering of Independents in Salah al-Din	4,739	2
National al-Risaliya List (Sadrist)	6,133	2
TOTAL VALID BALLOTS	137,476	41
INVALID BALLOTS	1,834	

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3. Diyala

Governor: Raad Hameed al-Mula al-Tamimi, a Badr leader associated with SIIC

PARTY	VOTES	SEATS
Coalition of Islamic & National Forces in Diyala (ISCI and Dawa)	84,390	20
Iraqi Islamic Party	55,960	14
Kurdish Arabic Turkmen Democratic Coalition - Diyala Governorate	30,268	7
TOTAL VALID BALLOTS	210,574	41
INVALID BALLOTS	3,283	

4. Wasit

Governor: Latif Hamid Turfa, a Sadrist

PARTY	VOTES	SEATS
Iraqi Elites Gathering (Sadrist)	185,813	31
Shiite Political Council (ISCI and Dawa)	22,346	4
Gathering of the Independents in Wasit	16,518	3
Iraqi Communist Party	12,780	2
Democratic Iraq Gathering	9,010	1
TOTAL VALID BALLOTS	324,678	41
INVALID BALLOTS	2,704	

5. Maysan

Governor: Adil Mahwadar Radi, a Sadrist

PARTY	VOTES	SEATS
Al-Hussayni Thought Forum (Sadrist)	78,859	15
Islamic Unified Front (SIIC)	28,211	6
Islamic Dawa Party / Iraq Organization	25,388	5
Islamic al-Fadhila Party	20,379	4
Al-Rida Center for Culture & Guidance	13,410	3
Gathering of the Independent Sons of Maysan	9,674	2
Iraqi Republican Group	7,560	2
Independent National Islamic Congregation	6,201	1
Islamic Dawa Party	7,006	1
Maysan Democratic Coalition	6,833	1
Shiite Political Council	6,558	1
TOTAL VALID BALLOTS	246,957	41
INVALID BALLOTS	1,559	

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6. Basra

The council elected Fadhila member Muhammad al-Waili as governor. In April 2007, ISCI successfully brought a no-confidence motion against al-Waili. This dismissal was ratified by Prime Minister Nouri al-Maliki in July, although the situation remains unclear as Fadhila has appealed the results of the dismissal.

PARTY	VOTES	SEATS
Islamic Basra (SIIC)	235,704	20
Al-Fadhila Islamic Party	150,823	12
Iraqi National Accord	49,005	4
Islamic Dawa Party	37,997	3
Iraqi Independent List	21,236	2
TOTAL VALID BALLOTS	713,271	41
INVALID BALLOTS	7,733	

7. Dhi Qar

Governor: Aziz Kadum Alwan al-Ogheli, a member of ISCI

PARTY	VOTES	SEATS
Al-Fadhila Islamic Party	103,114	11
Supreme Iraq Islamic Council (SIIC)	100,237	11
Islamic Dawa Party / Iraq Organization	89,263	10
Iraqi Communist Party	18,769	2
Iraqi Independent Gathering	15,531	2
Iraqi National Accord	20,767	2
Islamic Movement of the 15th of Shaaban	19,709	2
Independent Coalition for the Care of Democracy	13,880	1
TOTAL VALID BALLOTS	522,271	41
INVALID BALLOTS	4,707	

8. Muthanna

The governor of al-Muthanna was Muhammad Ali Hassan Abbas al-Hassani, an ISCI politician. After his assassination in August 2007, the provincial council chairman Ahmad Marzouq Salal, a Dawa member, filled the post.

PARTY	VOTES	SEATS
Supreme Iraq Islamic Council (SIIC)	23,918	8
Al-Furat al-Awsat Assembly	17,924	6
Al-Fadhila Islamic Party	18,206	6
Islamic Independent Society	14,550	5
Gathering for al-Muthanna	12,687	4
Islamic Dawa Party	13,354	4
Allegiance Coalition	10,221	3
Iraqi National Accord	7,530	3
Iraqi Communist Party	5,602	2
TOTAL VALID BALLOTS	173,155	41
INVALID BALLOTS	2,004	

9. Qadisiyah

Governor Hamid al-Khodairi, an ISCI member, was chosen to succeed the constitutionally first elected governor, ISCI member Khalil Jalil Hamza, who was assassinated in August 2007.

PARTY	VOTES	SEATS
Martyr of the Sanctuary Sayyid Muhammad Baqir al-Hakim (SIIC)	102,005	20
Shiite Political Council	26,898	5
Independent Brotherhood (Sadrist)	14,485	3
Iraqi National Accord	15,396	3
Al-Fadhila Islamic Party	14,606	3
Islamic Dawa Party	15,446	3
Islamic Dawa Party / Iraq Organization	10,854	2
Loyalty to Iraq Coalition (Sadrist)	8,052	2
TOTAL VALID BALLOTS	337,220	41
INVALID BALLOTS	3,898	

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10. Babil

Governor: Salim al-Mesalmaoui [AQ: affiliation?]

PARTY	VOTES	SEATS
Faithful Iraqis Association	192,643	25
Al-Rasul Association	43,226	6
Imam Ali Society	41,607	6
Security & Reconstruction	17,295	2
Babil Independent Association	15,779	2
TOTAL VALID BALLOTS	494,054	41
INVALID AND BLANK BALLOTS	21,786	

11. Karbala

Governor: Uqeil al-Khazaali, a member of ISCI

PARTY	VOTES	SEATS
Supreme Iraq Islamic Council (SIIC)	101,932	21
Al-Fadhila Islamic Party	22,085	5
Democratic Meeting for Holy Karbala	7,605	2
Democratic Progressive Gathering	9,698	2
Independent Council of Tribal Shaykhs & Notables of Karbala Governorate	9,647	2
Independent Intellectuals Gathering	7,233	2
Independent Unified List for the Governorate of Holy Karbala	8,719	2
Iraqi Democratic Current	9,161	2
Shi'ite Political Council	10,655	2
Dr. Abbas al-Hasnawi	8,621	1
TOTAL VALID BALLOTS	297,201	41
INVALID BALLOTS	3,168	

12. Najaf

Governor: Asaad Abu Gilel al-Taie, a member of ISCI

PARTY	VOTES	SEATS
Supreme Iraq Islamic Council (SIIC)	133,676	19
Loyalty to Al-Najaf	64,837	9
Banner of the Independents	26,585	4
Iraqi National Accord	23,663	3
Allegiance Coalition	13,464	2
Iraq Future Gathering	11,513	2
Al-Fadhila Islamic Party	15,999	2
TOTAL VALID BALLOTS	359268	41
INVALID BALLOTS	3079	

13. Anbar

Governor: Maamoun Sami Rashid al-Awani [AQ: affiliation?]

PARTY	VOTES	SEATS
Iraqi Islamic Party	2692	29
Independent Iraqi Group	755	8
Reconciliation and Liberation Bloc	328	4
TOTAL VALID VOTES	3775	41
INVALID VOTES	28	

14. Nineveh

The governor is independent politician Duraid Kashmoula, a Sunni Arab, who succeeded his brother, Usama Yousif Kashmula, when he was assassinated in July 2004.

PARTY	VOTES	SEATS
Democratic Patriotic Alliance of Kurdistan (KDP and PUK)	109,295	31
Supreme Iraq Islamic Council (SIIC)	17,255	5
Iraqi Islamic Party	7,065	2
Council of the United Clans of Mosul	6,624	2
National Rafidain List	4,650	1
TOTAL VALID BALLOT	165,934	41
INVALID BALLOT	864	

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15. Dahuk

Governor: Tamar Ramadan, a member of KDP

PARTY	VOTES	SEATS
Kurdistan Democratic Party	302,133	33
Kurdistan Islamic Union	35,675	4
Patriotic Union of Kurdistan	35,483	4
TOTAL VALID BALLOT	383,265	41
INVALID BALLOT	5,273	

16. Arbil

Governor: Ali Nikzad, a member of KDP

PARTY	VOTES	SEATS
Democratic Voice of Kurdistan List (KDP)	347,772	23
Patriotic Union of Kurdistan	244,343	16
Kurdistan Islamic Union	22,523	1
Islamic Group of Kurdistan	18,781	1
TOTAL VALID BALLOT	647,994	41
INVALID BALLOT	16,622	

17. Kirkuk

The governor is Abdulrahman Mustapha Fatah, who has served in this post since being appointed by the coalition in 2003.

PARTY	VOTES	SEATS
List of Kurdistan Brotherhood (KDP)	237,303	26
Iraqi Turkoman Front	73,791	8
Iraqi Republican Group	43,635	5
The Islamic Turkoman Coalition	12,678	1
National Iraq Union	12,329	1
TOTAL VALID BALLOTS	400,892	41
INVALID BALLOTS	5,059	

18. Sulaymaniyah

Governor: Dana Ahmed Majid, a member of PUK

PARTY	VOTES	SEATS
Patriot Union of Kurdistan	485,718	28
Kurdistan Islamic Union	75,008	5
Islamic Group of Kurdistan	53,088	5
Kurdistan Democratic Party of Iraq	91,578	3
Communist Party of Kurdistan	8,192	
TOTAL VALID BALLOTS	731,323	41
INVALID BALLOTS	13,189	

Annex 6. Iraqi Constitution, 1925: Excerpts on Provincial Powers

Part VII. Administration of the Provinces

Art. 109. The administrative districts of Iraq, their classes, names, manner of institution, the powers of the officials and their titles shall be prescribed by a special law.

Art. 110. The law referred to in the preceding article shall provide that steps shall be taken in certain of the administrative divisions to ensure the performance of any obligations relating thereto, arising out of treaties concluded by the King and approved by Parliament or the Constituent Assembly.

Art. 111. Municipal affairs in Iraq shall be administered by means of municipal councils in accordance with a

special law. In the administrative divisions, administrative councils shall perform such duties as may be prescribed for them by law.

Art. 112. Each community shall have the right of establishing councils in important administrative districts, competent to administer buildings and properties dedicated to Waqfs [pious foundations] and bequests for charitable purposes. They shall be competent to deal with the collection of income derived therefrom, and the expenditure thereof, in accordance with the wishes of the donor or with the custom in use among the community. Such communities shall also undertake the supervision of the property of orphans in accordance with law. The councils referred to above shall be under the supervision of the Government.

Annex 7. Iraqi Constitution, 1968: Excerpts on Decentralization

Article 8 [Capital, Decentralization] (a) Baghdad is the Capital of the Iraqi Republic, and it can be transferred by law. (b) The Iraqi Republic is divided into

administrative units and is organized on the basis of decentralization.

Annex 8. Iraqi Interim Constitution, 1990: Excerpts on Presidential Powers

Section III: President of the Republic

Article 57 — Competencies

The President of the Republic exercises the following competencies:

(d) Appointing the governors, the judges, and all civil and military State employees, promoting them, terminating their services, placing them on dispo- nibility, and granting badges of honor and military grades, according to the law.

Annex 9. Breakdown of 2007 Provincial Allocations and Obligations

Budget breakdown 2007

PROVINCE	POPULATION ACCORDING TO PDS	2007 PER CAPITA BUDGET ALLOCATION	2007 BUDGET ALLOCATED	2007 BUDGET OBLIGATED BY SEPT 2007	% OBLIGATED BY SEPT 2007
Baghdad	6,726,432	\$103.08	\$559 million	\$264 million	47%
KRG (Erbil, Sulayminyah, Salah ad Din)	3,673,740	\$38.73	\$127 million	\$3 million	2%
Nineveh	2,748,022	\$82.24	\$226 million	\$36 million	16%
Basrah	2,600,000	\$75	\$195 million	\$90 million	46%
Dhi Qar	1,850,000	\$74.59	\$138 million	\$119 million	86%
Babil	1,500,000	\$74.67	\$112 million	\$112 million	100%
Diyala	1,135,000	\$96	\$109 million	\$0	0%
Anbar	1,023,000	\$104.59	\$107 million	\$0	0%
Tamim (Kirkuk)	1,149,000	\$78.33	\$90 million	\$25 million	28%
Salah al-Din	904,000	\$102.88	\$93 million	\$33 million	35%
Najaf	1,081,203	\$81.41	\$88 million	\$32 million	36%
Wasit	1,032,838	\$80.43	\$83 million	\$32 million	38%
Qadisiya	937,261	\$68.29	\$64 million	\$29 million	46%
Maysan	900,000	Not known	Not known	Not known	Not known
Karbala	738,570	\$96.14	\$71 million	\$58 million	81%
Muthanna	594,350	\$87.54	\$52 million	\$16 million	30%
TOTAL	24,907,055	\$76.87	\$2,114 million	\$849 million	40%
	27,499,638				

Annex 10. Breakdown of 2006 Provincial Allocations and Obligations

PROVINCE	2006 BUDGET ALLOCATED	2006 BUDGET OBLIGATED	% OBLIGATED BY SEPT 2007	2006 PER CAPITA BUDGET ALLOCATION
Baghdad	\$598 million	\$598 million	100%	\$88.91
KRG (Erbil, Sulayminyah, Dahuk)	\$63 million	\$57 million	91%	\$17.15
Nineveh	\$240 million	\$240 million	100%	\$87.34
Basrah	\$205 million	\$197 million	96%	\$78.85
Dhi Qar	\$197 million	\$197 million	100%	\$106.49
Babil	\$132 million	\$132 million	100%	\$88
Diyala	\$118 million	\$23 million	20%	\$103.96
Anbar	\$97 million	\$54 million	56%	\$84.42
Tamim (Kirkuk)	\$97 million	\$97 million	100%	\$107.30
Salah al-Din	\$99 million	\$101 million	100%	\$109.51
Najaf	\$94 million	\$86 million	92%	\$86.96
Wasit	\$88 million	\$56 million	63%	\$85.19
Qadisiya	\$88 million	\$88 million	100%	\$93.89
Maysan	Not known	Not known	Not known	Not known
Karbala	\$74 million	\$67 million	90%	\$100.19
Muthanna	\$55 million	\$50 million	92%	\$92.55
TOTAL	\$2,245 million	\$2,043 million	91%	\$81.64

