

Regarding the Request for Retirement of Those Honorable Individuals

After the legal term of the parliament concluded, they took the constitutional oath. Following the extension of the parliamentary term on October 9, 2022, some members of parliament, as a stance against this illegal action, resigned from their positions. To replace them, several candidates, according to the order of votes, took their seats and took the constitutional oath. Later, on May 30, 2023, the Federal Court ruled that the extension of the parliamentary term was unconstitutional. The period from November 6, 2022, to May 30, 2023, was deemed illegal, rendering all laws and decisions made by the parliament during that time void. This also nullified the steps taken to fill the seats of the resigned members with new members and their oath-taking. According to the court's decision, the salaries that parliamentarians received during that period were illegal and should have been returned to the public treasury. However, no parliamentarian returned their salary; moreover, they have now prepared lists or even nominated themselves within their parties!

We, at **Pay Foundation for Education and Development**, have published several reports to inform the public and submitted memorandums to the relevant parties, from the presidencies of the region and the Council of Ministers to the Ministry of Finance. However, the Presidency of the Council of Ministers and the Ministry of Finance continued to disburse the illegal salaries. We also submitted memorandums to the Public Prosecutor's Office, the Integrity Commission, and the Financial Audit Bureau, but none of them fulfilled their duty to investigate and prevent this; none of them responded!

Despite all that, five of those candidates who illegally took the oath after November 6, 2022—namely, **Soz Abdulqadir Abdulrahman** and **Dler Abdulkhaleq Haji** from the Gorran Movement, **Abdullah Hasan Hamed** and **Leyla Ali Abdulaziz** from the Islamic Movement, and **Berwan Faqe Ismail** from the Islamic Union (for your information, after Berwan Faqe took the oath in the parliament, the Islamic Union expelled her from its ranks)—requested at the beginning of July to be granted retirement benefits similar to other parliamentarians. However, due to the illegality of their case, the Presidency of the Presidency of the Parliamentary Bureau did not accept their request. Later, on November 13, 2023, all five of them submitted a memorandum to the Presidency of the Presidency of the Parliamentary Bureau, requesting their retirement benefits. In their memorandum, it was stated:

"Based on Decision No. (12952) dated October 12, 2023, of the Council of Ministers of the Kurdistan Region, specifically the third clause related to implementing those laws and decisions issued by the Kurdistan Parliament after November 6, 2022, we, who have taken the constitutional oath after that date, should be retired."

The reference is to that decision of the Council of Ministers numbered (12952) dated October 12, 2023, which states that work should proceed according to those laws that were issued after the extension of the parliamentary term. According to this, the candidates who took the oath aimed to have their time in the parliament considered legal and be counted toward their retirement. This was contrary to the law and the court's decision!

According to the information from **Pay Foundation**, the Presidency of the Presidency of the Parliamentary Bureau, without supporting them, under pressure, only forwarded their memorandum to the Council of Ministers. Later, their request became one of the topics in the meeting of the Council of Ministers on March 27, 2024, and one of the agenda items was their request to be granted retirement benefits.

It is noteworthy that one of those honorable individuals had served only five months, and another had served only two months and fifteen days in the parliament. During that time, all five of them received a total

of 172,200,000 dinars as salary. However, they illegally requested retirement benefits, as if they had become lawmakers and guardians of the law during that short period!

Despite their request to be retired and the progression of their case by the Council of Ministers, due to the illegality of their case and the creation of civil pressure, their request was not implemented. Because if it had been implemented, anyone could have filed a complaint to the Federal Court, and the court would have ruled in favor of the complainant and against the Kurdistan Regional Government, annulling the illegal retirements.

We, at **Pay Foundation**, in the interest of the supremacy of the law and social justice, and as a civil duty, have worked on this matter in our own time and exerted civil pressure, and informed the public through press releases. We did not wish to discuss this issue further, but in recent days, one of those candidates, in a clarification, announced that they had not requested to be granted retirement benefits and shared some documents. In reality, after their efforts to obtain retirement benefits did not succeed, they requested to return to their previous jobs, and perhaps the history of their memorandums and writings attests to that.

We hereby present their requests and the official letter from the Presidency of the Parliamentary Bureau, and we support them, so that the truth is not distorted. All those cases that our organization has revealed cannot be denied with irrefutable evidence. Our sole purpose was to convey the correct information to the public, away from misrepresentation.

Attachments:

1. The memorandum of the five candidates to the Presidency of the Parliamentary Bureau requesting their retirement benefits.
2. The letter from the Presidency of the Parliamentary Bureau to the Council of Ministers, numbered (2/1/107) dated December 21, 2023, officially sending their memorandum.

PAY Foundation For Education & Development

10/10/2024

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ژمارە: ١٠٧ / ٤ / ٤
رێکەوت: ٤ / ١٤ / ٢٠٢٢

بۆ / سەرۆکایەتی ئە نۆمەنی وەزیران / سەرۆکایەتی دێیوان

ب / یاداشت

هاوینچ لەگەڵ نووسراوماندا یاداشتی ژمارەیکە لە بەرلەمانتارانێ بەرپرسی خولی پینجەمی بەرلەمانی کوردستان بۆ دەنیرین، کە لە دواي رێکەوتی (٢٠٢٢/١١/٦) سویندی یاسایان خواردوو، و بەهۆی پابەندبوونی بەرلەمانی کوردستان بە بریاری دادگای فیدرالی لە بەرواری (٢٠٢٢/٥/٣٠) مامەلای خانەنشینیان بۆ نەکراوە.

لەگەڵ ریزدا...

هاوینچ / یاداشت

نەردەلان مەحمەد سەرپسپی

سەرۆکی دێیوان

وینەیکە بۆ :

- نووسینگە بەرپرسی سەرۆکی دێیوان .
- نووسینگە بەرپرسی جیگری سەرۆکی دێیوان .
- بەرپۆهەرایەتی کاروباری بەرلەمان و لیژنەکان
- بەرپۆهەرایەتی کاروباری کارگێری و خۆیەتی .
- بەرپۆهەرایەتی کاروباری دارایی .
- بەرپۆهەرایەتی ووردبین و چاودێری ناوحو .