



Monitoring and Evaluation For The Kurdistan Parliament

Spring Session in the Fifth Year of the Fourth Parliamentary Session
(6 March 2018 - 6 November 2018)

Twelfth report



NED
National Endowment for Democracy



PAY INSTITUTE
For Education & Development

Monitoring and Evaluating the Kurdistan Parliament's Activities

Spring Session in the Fifth Year of the Fourth
Parliamentary Session
(6 March 2018 - 6 November 2018)



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Twelfth report

PAY Institute for Education and Development is a Kurdistan-based non-governmental organization that was formally registered at the non-governmental organizations department on (28/11/2013), and began its activities in December 2013.

Monitoring the Kurdistan Parliament Project:
This project started to perform its work with the beginning of the 4th term of the Kurdistan Parliament. And now, with the support of the National Endowment for Democracy (NED), it leads the duties that it is entrusted with.



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- هەوائی رۆژانەی پەرلەمان
- پەرلەمانی کوردستان لە میدیاکاندا
- ئینفۆگرافیک
- پەڕە پەڕە ناوخوازی پەرلەمان
- پەرنامەی کاری پەرلەمان
- راپۆرتەکانی پڕۆژەی چاودێری پەرلەمان
- ئامادەبوونی ئەندامانی پەرلەمان
- بۆلۆگراوە دەریزە پەڕەمانی کوردستان
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- دەستوری هەریەمی کوردستان
- دەستوری عێراق



هەوائی رۆژانەی پەرلەمان

وادی یەکمەین کۆبوونەوەی خۆلی پینجەمی پەرلەمان دیاریدەکرێت
 لێدوانک حەن بێجە
 2018.11.04 یە پینێ نووسراویکی ئەنجۆمەنی دادوەری، کە واژۆ بەنگین قاسم، سەرۆکی ئەنجۆمەنی دادوەری لەسەرە و ئەمڕۆ ...
[دەرئۆ](#)



- بیرووا لەسەر پەرلەمان
- یۆ پەرلەمانتارە نوێیەکان نۆ تیکەشتن لە پەرلەمان دەیت لە ئۆبە گێنگەین
 31st, 2018
 - شکاندانه کەورەگە
 28th, 2018
 - هەلیژاردن بکۆن یان تەکرۆر؟
 28th, 2018
 - هەتەلی هەلیژاردن پەرلەمانی کوردستان
 28th, 2018

- کۆتای کۆبوونەوەی خۆلی چوارەمی پەرلەمانی کوردستان (٢٠١٨/١٠/٣١)
 31st, 2018
- چەند زانیاریەکی و ژمارەریگ لەسەر هەلیژاردنی خۆلی پینجەم
 28th, 2018
- کۆمسیۆنی نزیکی 120 هەزار دەنگ بە پووجەل هەژمارکراون
 22nd, 2018
- کۆمسیۆنی پالی سەرەخۆی هەلیژاردن و راپرسی هەریەم نەنجاسی کۆتایی هەلیژاردنی
- چار ئەندامی ئەنجۆمەنی کۆمیساریان نەنجاسی کۆتایی هەلیژاردنی پەرلەمانی

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Pay Observatory to censor (monitor) the Kurdistan Parliament

www.payied.org

The Observatory has been active for two years and it is a part of the project of censoring (monitoring) and evaluating the work of the Kurdistan Parliament .

This website publishes information about previous parliamentary sessions in both Kurdish and Arabic language. It published the curriculum vitae of the members of Parliament, the Presidencies of the Parliament, the laws and decisions issued by the Parliament and the temporary and permanent committees in the Parliament for the first three sessions of the Parliament

As for the fourth session (2013 - 2018), it published the curriculum vitae of the members of the parliament, the presidency of the parliament, the laws and decisions issued by the parliament and the temporary and permanent committees. And Program work of the sessions, rules of procedure, video clips of parliamentary sessions, all news related to parliament, absent members of parliament, list of phone numbers of members of parliament, as well as other sections such as published topics on parliament in other media and information about the parliament in the info graphic, and a publication on the parliamentary work and publications of the parliament and free writing on parliament, as well as interest in the news of parliamentary committees and blocs provided that they are linked to the issuance of laws and monitoring public institutions.

The Parliamentary Oversight Project reports and all other projects implemented by the Pay Institute are published in the Observatory. After the completion of work in the Arabic section of the site will be working in the future to increase the English language section for the site.

With the beginning of the fifth parliamentary session, the parliamentary supervision project will continue and many changes will be made to the project.

Introduction

The fourth session of the parliament was for five years, and began on (6/11/2013) and concluded its work on (6/11/2018), and that the Pay Institute of Development and Education in cooperation with the National Fund to support democracy NED, Pursuant to the Law of Non-Governmental Organizations No. 1 of 2011, the Right of getting Information Law No. 11 of 2013, and the Resolution No. 5 of 2013 in the Kurdistan Parliament on the Joint Charter and Development between Public Institutions and Non-Governmental Organizations in the Region Kurdistan, we exercised control over this session and we have so far published 12 reports.

The aim of this censoring (monitoring) is to create transparency in parliamentary work, build a good relationship between citizens and parliament, and establish the principle of monitoring and lobbying as one of the most important tasks of civil society organizations. In order to create a parliament capable of legislation and be a strong censor and exercise its role in the consolidation of the principles of democracy. And get out of crises and create a balance between the components of society, but what happened in the fourth session was the opposite of these endeavours.

For example, in the spring session there were many important projects and they had to be ratified in order to benefit the citizens and build a strong parliament. However, they did the opposite. Among these laws are the salary and pension reforms law and the activation of the Human Trafficking Law No. 28 in 2012 in Iraq. And extend the Anti-Terrorism Law instead of amending it in line with the principles of democracy.

Whereas the extension of the Human Trafficking Law and the Anti-Terrorism Law have met with dissatisfaction among many groups, centers and journalists, As for the ratification of the internal rules of the parliament, there are many observations about them.

As a result, in order to strengthen the relationship between citizens and the parliament, it is necessary to ratify the good laws and strict control over the institutions of the executive authority and to maintain the balance between the authorities of the region.

Pay Institute for Education and Development November 2018

Assessment of the Situation in the Parliament
 Spring Session in the Fifth Year of the Fourth Parliamentary Session
 (6 March 2018 - 6 November 2018)

First: Sessions of the Parliament

No.	Invitation day	the day of holding the session	Number of sessions	Number of work paragraphs	Implementing paragraphs	Deferred paragraphs
1	05/05/2018	07/05/2018	Opening session of the spring session	3	3	0
2	19/05/2018	21/05/2018	1	The work program is not published	Session adjourned	0
3	10/06/2018	12/06/2018	1	1	Session adjourned	0
4	24/06/2018	26 / 06/2018	1	9	6	3
5	28/06/2018	01/07/2018	2	5	1	4
6	01/07/2018	02/07/2018	3	4	3	1
7	05/07/2018	09/07/2018	4	4	3	1
8	09/07/2018	10/07/2018	5	3	3	
9	10/07/2018	11/07/2018	6	4	3	1
10	12/07/2018	15/07/2018	7	4	4	
11	16/07/2018	17/07/2018	8	1	1	
12	29/10/2018	31/10/2018	Closing session of the session	2	2	0
Total			10	39	29	10

Attendance of the Members of the Parliament and Remarks on the Sessions of the Parliament

1. The session No. (1) of the Parliament, which was scheduled to be held on (21/5/2018), according to the official statement issued by the Presidency of the Parliament and published on the website of the Parliament, was postponed due to the lack of readiness of the joint report between the Legal and Financial Committee of the Draft Reforms Law. During the press conference held on (4/3/2018), the Presidency of Parliament (the deputy speaker and the secretary), due to the pressure of citizens on a number of articles, returned the salaries bill to Parliament and decided to reconsider the second, third, fourth, fifth, sixth and seventh paragraphs, and in article (3) and the second paragraph of article (8) and point (2) of the first paragraph of article (11) in Law No. (4) of (2018), and in a statement issued on 13/3/2018, the Deputy Speaker demanded that the Legal and Financial Committees reconsider the paragraphs and articles of the resolution (1) for the year 2018, if the delay in order to write the joint report by the two committees, if we counted on (13/3/2018) and until (21/5/2018), we will find that it extended for two months and seven days, but the committees during this period did not prepare the report.

Our observation is not related to the failure of the work of the committees in the performance of their work, but there is an intention by the parliament to disrupt this project.

The statement issued by the Presidency of Parliament

Due to the non-completion of the joint report of the Legal, Financial, Economic and Investment Affairs Committee, on Law No. (4) in 2018 (Law of reforms in retirement, salaries, allowances, grants and other privileges in Kurdistan Region of Iraq) The Presidency of the Parliament decided to postpone the ordinary session No. 1 in the spring session, which was scheduled to be held on 21/5/2018

Presidency of the Kurdistan Parliament of Iraq

2- After the postponement of the session No. (1) of the Parliament, the session of the Parliament was postponed again, which was scheduled to be held on (12/6/2018) and the Vice-President of the Parliament announced in a statement that due to the fact that the reforms law is of a financial nature, the government team, especially the Minister of Finance and Economy, should be present at the sessions however, he said that he was unable to attend the session, so the session was postponed to another date, and that was the last endeavor by the government and the Parliament to disrupt the final reform bill.

Here, it is clear that the parliament is not alone in failing to make preparations however; the government was also hampering ratification as it was seeking to ratify a law in which the allowances of employees are withheld and that the salaries of civilian pensioners are not equal to their peers in the rest of Iraq.

Hence, in implementing the program of work of session No. (1) on (26/6/2018), the deputy speaker of the Parliament on the ratification of the law on reforms in retirement, salaries and privileges said: -

"After the return of this law to the Parliament of Kurdistan, the Parliament has made many efforts to ratify this project and therefore it supervised the joint meeting of the financial and

legal committees in the Parliament in order to prepare a joint report on the articles and paragraphs, which have many observations. The Deputy Speaker said that as a result of the reformulation and regulation of the content of the paragraphs by the regional government has been put forward a number of proposals and observations have been put forward from a technical point of view and in terms of financial responsibility in order to enrich the project and obtain the final opinion of the government, especially with regard to financial responsibility, so it is important to hold a meeting between the Finance and Legal Committee with the government, and then re-placed in the program of work of the sessions for approval.

He stressed that the reason for the delay in discussing the project is for technical reasons and get the opinion of the government because it is of an economic nature and not for other reasons”.

1- Session No. (1) on (26/6/2018) the number of members of the Parliament present was as follows:

Number of attendees	74
Number of absentees	11
Furloughed members	27

1- Session No. (2) on (1/7/2018) the number of members of the Parliament present was as follows:

Number of attendees	78
Number of absentees	7
Furloughed members	25

1- Session No. (3) on (2/7/2018) the number of members of the Parliament present was as follows:

Number of attendees	84
Number of absentees	8
Furloughed members	18

In this session, the program of work of the session included four paragraphs, three of which were among the previous session's working paragraphs. A paragraph was increased to the working paragraphs of the session which is the draft law of reception under the Protocol and was not included in the program of work of the meeting and this is a violation of the rules of procedure of Parliament.

2- Session No. (4) on (9/7/2018) the number of members of the Parliament present was as follows:

Number of attendees	87 members in the morning session 79 members in the evening session
Number of absentees	4
Furloughed members	19 members in the morning session 8 members in the evening session

1- Session No. (5) on (9/7/2018) the number of members of the Parliament present was as follows:

Number of attendees	No information obtained
Number of absentees	No information obtained
Furloughed members	18

In advance, the Presidency of Parliament increased two paragraphs of the session and granted the status of urgency and the first reading was of the law to freeze the institution of the presidency of the region, at a time when there were more important laws and was supposed to be granted the status of urgency and work on it and not this law, which no longer has any importance in the political and economic life in the region.

2- Session No. (6) on (11/7/2018) the number of members of the Parliament present was as follows:

Number of attendees	72 members in the morning session 66 members in the evening session
Number of absentees	12
Furloughed members	26 members in the morning session 6 members in the evening session

1- Session No. (7) on (15/7/2018) the number of members of the Parliament present was as follows:

Number of attendees	No information obtained
Number of absentees	No information obtained
Furloughed members	12

2- Session No. (8) on (17/7/2018) the number of members of the Parliament present was as follows:

Number of attendees	No information obtained
Number of absentees	No information obtained
Furloughed members	12

During this session, member Rewas Faeq criticized the program of work for reading the fifth point in the first paragraph first reading for the second time as according to her point of view, a first reading was carried out earlier, and they are waiting for the provincial government to respond to them but was re-submitted by a number of other members of parliament and therefore demanded to delete it and that the deputy speaker of the parliament deleted it, which included the first reading to activate the law (Import and Sale of Petroleum Products No. 9 of 2006), and according to a follow-up by PAY Institute, the law presented was supposed to make its first reading because it was not the same law that member Rewas

Faeq spoke about, but it was another law, basically it was a federal law submitted to be activated.

Second: Legislation Process:

Issuing laws

During this session (8) laws and one decision was issued, and the ratification of the Parliament's rules of procedure and it was as follows:

Activation of two laws and extending work with one law and the amendment of three laws and the ratification of one new law and the ratification of one decision in addition to the ratification of the rules of procedure: -

Text of laws

1- Law No. (5) in (2018), activating the law of the twentieth amendment to the Law of Staffing No. (25) of (1960).⁽¹⁾

2- Law No. (6) in (2018) Activating the Law of Combating Human Trafficking No. (28) of (2012) in Iraq.⁽²⁾

3- Law No. (7) in (2018) extension of the anti-terrorism law No. (3) in the year (2006).⁽³⁾

4- Law No. (8) in (2018) amending the third law of law No. (17) for the year (1999) amended in Kurdistan Region.⁽⁴⁾

5- Law No. (9) in (2018) the fourth amendment to the Law of the Pension Fund of Lawyers No. (18) in the year (1999) amended in Kurdistan Region.⁽⁵⁾

6- Law No. (10) in the year (2018) law of freezing the presidency of the region.⁽⁶⁾

7- Law No. (11) in (2018) the third amendment to the law of renting real estate law No. (87) for the year 1979 amended in Kurdistan Region.⁽⁷⁾

8 - Ratification of the new rules of procedure of the Parliament of Kurdistan Region.⁽⁸⁾

And Issuing one resolution:

1- Resolution No. (17) in (2018) reception under the Protocol to members of the Parliament of Kurdistan and the Council of Ministers and its equivalent functionally at airports and border points.⁽⁹⁾

(1)-This law was ratified on 26/6/2018.

(2)-This law was ratified on 26/6/2018.

(3)-This law was ratified on 1/7/2018.

(4)-This law was ratified on 2/7/2018.

(5)-This law was ratified on 2/7/2018.

(6)-This law was ratified on 11/7/2018.

(7)-This law was ratified on 15/7/2018.

(8)-This law was ratified on 17/7/2018.

(9)-This resolution was ratified on 11/7/2018.

Notes on some laws

Although the Parliament of Kurdistan was able to ratify a number of important laws, which could through the ratification of these laws serve the citizens and the democratic process, but did not do so, however it ratified, amended and extended the work of a number of laws that were not in the public interest, and here we will highlight these laws.

*** Law No. (6) in (2018) Activating the Law of Combating Human Trafficking No. (28) of (2012) in Iraq.**

This law was ratified in Iraq in (2012) and was activated in this session, and it has been mentioned in the reasons for its issuance (in order to combat the crime of trafficking human beings and the fight against its serious consequences and punish the accused and protect the dignity of individuals and the application of this law in the region).

In article 8 of the law, the death penalty is referred to and ratified as it was in the law, which is a violation of the most basic basis of human rights, in addition, this law applies to groups that smuggle people out of the territory as human trafficking groups, and did not address in detail and accurately the topics of trafficking in human organs, forced labor and body trafficking, and that the law was fully ratified as it is without taking into account the specificity and conditions in the region.

And instead of working to stop the death penalty in law and court decisions and not apply it to the convicts, this penalty was returned to one of the other laws in the Kurdistan region without any of the members of the Parliament reject the death penalty, while most members of parliament advocate respect for the principles of human rights.

• Law No. (7) in (2018) extending the anti-terrorism law No. (3) in (2006).

The reasons for issuing this law it was noted that in order to combat crimes of terrorism and protect the property and lives of citizens in the region and to ensure stability and happiness, this law has been issued.

This law has been approved by the members of the blocs of the Democratic Party, the patriotic Union, the Movement for Change and the Islamic Union and its extension was opposed by the Islamic Group and the Islamic Movement. Najiba Latif, a member of the Kurdistan Parliament, said that the Kurdistan Islamic Group bloc support the existence of a law of this kind in the Kurdistan region to combat terrorism however, the current law is very bad and it contains many paragraphs and articles that contradict with human rights, so they as a bloc of the Islamic Group are with the amendment of the law but the law was extended by a majority vote of the Parliament members, provided that it is amended within six months and pointed out that the representative of the United Nations Human Rights Organization in the region visited the Parliament of the Kurdistan Region, and submitted a letter on the draft anti-terrorism law to the Commission on Human Rights and the Legal Committee and the Deputy Speaker of Parliament, and demanded that this law should never be extended and that it should not be enforced, as this law is a flagrant violation of human rights and that, according to this law, citizens can be sentenced without being tried.

The existence of the anti-terrorism law in any country is necessary to prevent terrorism and protect the safety of citizens, but it must not be transformed to one of the reasons for the attack on the freedom and dignity of citizens and the basic principles of democracy.

Many criticisms and remarks have been made by journalists and intellectuals of this law and they consider the first article of the law as the most dangerous because it defines terrorism as an elastic definition, and it includes many arranged terms that open the way for the complainant and the judge to accuse any person, group, party, association or institution of

carrying out terrorist activities and as a result, under the second, third and fourth articles of the law, the defendants were punished between death and life imprisonment up to 15 years.

Therefore, all the elastic terms referred to in Article 1 of the law were considered as crimes of terrorism, including any organization or group coordinating with the representative of a neighboring country or consulate or embassy of foreign countries in the region and Iraq, for example if one of the civil society organizations wish to implement a project in cooperation with the embassy of a foreign country in Iraq and be competent for violations of human rights in the region or the violation of the rights of prisoners in the Kurdistan region or the risks to democracy and the right of expression in the Kurdistan region, etc. It is under the elastic terms mentioned in Article 1 of the law and the penalties referred to in Article 2 of the law, a prominent person in the organization is sentenced to death.

*** Law No. (9) in (2018) the fourth amendment to the Law of the Pension Fund of Lawyers in the Kurdistan Region No. (18) in (1999).**

One of the reasons for the issuance of this law is that in order to protect the rights and secure the dignified life of lawyers and their families taking into account social and economic developments and changes, this law has been issued.

On this, Dana Dara, the legal advisor to the Kurdistan Parliament, pointed to short remarks about it that a number of important articles in the law have been amended, among them, that the legal profession is a non-commercial profession and is not subject to tax regulations. This text was removed from the law after a majority vote in parliament, and lawyers hereby must continue to pay fees to the union and taxes to the government. Unfortunately, they were waiting for this segment to be supported and not vice versa.

The Law of Freezing the Presidency of the Region.

One of the reasons for the issuance of this law is that in order to open the way for consensus and understanding on the system of government in the Kurdistan Region, this law has been issued. This law has been widely criticized by a number of political parties, academics and journalists and they believe that the opposition parties protect the pillars of power and it is disastrous and they consider that this was politically flawed that there is a difference in the political discourse of the opposition parties and pass dangerous laws to power.

It also appeared in the law of the presidency of the region, where the opposition parties codified the political mistakes of the parties of power and that this will destroy the foundations of basic and democratic in society.

*** - Ratification of the new rules of procedure of the parliament**

A number of legal experts point out that the rules of procedure of the Parliament have its own legal force, that some suggest that the system is smaller than the constitution and larger than ordinary laws and that some put it at the same level of laws.

The rules of procedure are a number of laws governing how to organize and make decisions within an institution, and one of the most important work of the rules of procedure is to determine the procedures for the exercise of the main tasks of the Parliament and the organization of roles between the majority and opposition parties, and to protect the balance between the parties and protect the rights of minorities in the Parliament and how to deal with any parliamentary issue.

The writing of the new rules of procedure for the Parliament is important because the previous system did not address many issues in the parliamentary work, and although there are many important points in the new rules of procedure, but it included many articles that

became the subject of criticism in the field of laws and specialists as it includes many articles that will adversely affect the status and functions of the Parliament.

In the beginning, we will put the words of the Interim Chairperson of the Rules of Procedure Review Committee and then, through a table, we will compare the approved rules of procedure and the proposed project based on the criticism of the specialists and we will present the points that, if approved, were better than those approved at the present time, and we hope that the Parliament can adjust the weaknesses in a way that suits a strong Parliament.

On (16/06/2014) in accordance with Resolution No. (10) a committee was formed to review the rules of procedure of the Parliament which included each of the members:

- 1 - Amina Zakri Saeed
- 2 - Faman Faisal Salim
- 3 - Frsat Sofi Ali
- 4 - Bahar Mahmood Fattah
- 5 - Qaraman Qadr Fattah
- 6 - Rewas Faeq Hussein
- 7- Gasha Dara Hafid
- 8 - Abubakr Omar Abdulla
- 9 - Soran Omar Saeed
- 10 - Muna Neib Nadir
- 11 - Wahida Yaqu Hormuz
- 12 - Omar Mustafa Bawamurad
- 13 -Abdul-Rahman Faris Abdul-Rahman

The system includes (126) articles and was approved in the session (8) on (17/7/2018).

Frsat Sofi, a member of the Interim Committee for the Review of the Parliamentary Rules of Procedure, said that in order to prepare this report, we worked for a year and a half and advantage was taking of the internal regulations of 22 countries, and we visited the Swedish Parliament and worked with them for a week in addition to benefit from the experience of previous sessions of the Parliament of the region.

And this system has been changed by 85% and it is a new system for the work of the Parliament in terms of the conduct of sessions and the participation of members in the discussions and the work of committees and meetings, and control of the Parliament on the executive and the law-making process, which has been completely changed, and they consider the new system a big step in activating the supervisory and legislative role of the Parliament, and that changes have been made in the content and format of the questioning, and in case the minister does not attend the Parliament in accordance with the instructions, he may be questioned without his presence and the confidence shall be withdrawn from him.

Regarding the budget, he said that the Parliament does not have the right to increase the budget, but he has the right to move between the doors because increasing the budget is not a task of the Parliament, and the Parliament will work on all days of the week. For example, Sunday will be the day citizens meet with members of Parliament, on Monday the committees will meet and Tuesday and Wednesday will hold the regular sessions of Parliament and on Thursday the Parliament will meet with government officials.

Concerning the participation of members of the Parliament in the speech, he said members of the Parliament should know how to speak, if they exceed two minutes their microphone will be closed and the members of the Parliament were prevented from practicing political auctions, and this internal system is a great achievement for the fourth session, since its

implementation will not waste time and the next session will be an effective session under this system.

On the other hand, specialists criticize this system for the following reasons:-

1- The task of overseeing the legislation has been delivered, but the most important tasks of the Parliament are the legislation, oversight is the second task and ratifying the budget comes next.

2- In the section of the legislation in Article 78 it was pointed out that in addition to members of the Parliament and the government the legislative authority was allowed to propose draft laws and decisions on topics related to them, which was one of the functions of the presidency of the Parliament in the previous rules of procedure, and it was pointed out that the official institutions that operate under the laws have the right to propose laws, and this is a strange term. If these institutions are linked to the government, how can they send draft laws to the Parliament when they can do so through their reference.

3- There is a conflict between it and Law No. (1) for the year 1992, which refers to the presence of one deputy to the Parliament and a secretary of the Parliament and not two deputies.

4- It contravenes Law No. 12 of 1999, which forces members of the Parliament to retire after the end of the parliamentary session.

5- A great role has been given to the Legal Committee, which turned into a small Parliament.

6- The mandate of the government is not mentioned in the rules of procedure.

7- It was pointed out that the member of the Parliament is not entitled to defect from his bloc, and that if he did so, the bloc has the right to put another person in his place, and that this is in the interest of the parties and contrary to the system of semi-open circle because this can be applied in a closed-circle system, but not compatible with the semi-open circle system because citizens vote for members of the Parliament as well as in favor of the blocs and therefore it is wrong to deprive a member of the Parliament of this freedom.

In this table we compare the ratified rules of procedure, the draft law of the previous system and the good points that were supposed to exist in this new system:

Authenticated system	Draft system	Previous system	Notes
According to Article (9): First, Parliament sessions must be public	According to Article (9): First view: Parliament sessions must be public and can be broadcast live Second view: Parliament sessions should be public	Article 9: Sessions of the Parliament shall be public and may be held in private at the request of the president of the Parliament or a quarter of the members of the Parliament and after the approval of the Parliament.	It was important that the parliamentary sessions be public and broadcast live
Article (29) The committees of the Parliament will become (15) Committee	Article (29) The committees of the Parliament will become (16) committees with different views	Article (38) The permanent committees is (22) committees	Any committee that has a certain competence its solution has a negative effect
Section 7: Control, Article (60) Point (3) the entity to which the question was addressed shall be replied within (7) days and in all	Section 7: Control, Article (68) Point (3) the entity to which the question was addressed shall be replied within (7) days and in all	Article 65: The president of the Parliament or members of the Council of Ministers shall have the right to reply directly to the written	The determination of 21 days to answer the questions posed that the period specified in the previous system, which

cases shall not exceed (21) days.	cases shall not exceed (21) days.	questions after reading them or within fifteen days from the day of the question.	was 15 days was better.
<p>Article 78</p> <p>The legislative process includes the discussion and ratification of:</p> <p>First: Draft laws or draft resolutions that have been referred by the executive authority</p> <p>Second: Proposing laws or decisions by a number of members not less than ten members</p> <p>Third: Draft laws and decisions, which are submitted by the judiciary on the related issues</p> <p>Fourth: Draft laws and resolutions submitted by official institutions and operating in accordance with the laws</p>	The same article was approved	In Article (71) of (1) it has been stated that the Council of Ministers or less than ten members have the right to propose draft laws and resolutions and that the Parliament shall not discuss them until after the competent committee has considered them and that any draft law rejected by the Parliament cannot be resubmitted during the parliamentary session	In Article (71), the first point in the old system is better than Article (78) and its points because in the previous system only the Parliament and government have the right to propose laws and decisions, but in the new system this power was granted to the Council of Judiciary and official institutions and that diminishes the power of the Parliament, in addition, the official institutions are linked to the Council of Ministers and if there are official institutions that are not linked to the Council of Ministers, why are they not mentioned?
<p>Article 81</p> <p>Third: The draft laws are considered the basis in the case of the submission of another law project if it is one in principle if it does not enter the stage of writing reports</p>	Same as Article 81		Article (81) includes three points, in the three points the importance of law projects submitted by the government was pointed out, especially in the third point, and that this represents a lack of balance between the government and the Parliament
<p>Article (83) Point (2) refers</p> <p>If the project or proposal is the competence of more than a committee, the Presidency of the Parliament in coordination with the Legal Committee divides the project or proposal and send each part to the competent committee, and this committee is preparing a report only about the consignee part</p>	Same as Article 83	<p>Article 71</p> <p>2- The draft laws and decisions that reach the Parliament are distributed to the members of the Parliament in addition to a list of the reasons for the draft law. At the first session, the draft summary is read without discussion and then sent to the competent committees.</p> <p>3. The competent committee shall discuss the law, recommendations and proposals in coordination with the legal affairs committee</p> <p>4. The Committees shall submit a joint report after being drafted by the Legal Affairs Committee within a period not exceeding ten days from the date of its dispatch to the two Committees</p>	Article (83) In the rules of procedure is unclear, if the intention of the division not to send the entire project, this is not good work, since the Committee must be under the hands of the entire project in order to write its views and observations on the project and that the previous system explained the tasks of joint committees and committees more clearly

		unless they are requested to write the report urgently then it shall be written within five days.	
Article 110: First: Any party or political entity that participates in the parliamentary elections in the region and to be a list holder and an electoral program and obtained a seat in the Parliament transformed into a parliamentary bloc	Article 124 1 - The total number of members of the Parliament must be among the lists participating in the Parliament and achieved victory and consists of () member. As for the number of members of the Parliament who form a parliamentary bloc, there are three views: First opinion: one member Second opinion: five members Third view: that the privacy of the components in the formation of parliamentary blocs in terms of the number of members of the Parliament	Section One Definitions Article (1) indicated that the parliamentary bloc: the total number of members of the Parliament belonging to one of the parliamentary lists, which won by 7% and more	In the previous system, the number of people forming a parliamentary bloc is clear, but it is noticeable that in the third and fourth sessions, the term bloc was called a grouping of members even if they were one member and that was a mistake and violates the internal curriculum, we criticized it and what is being implemented now is an implementation of what was violated in the previous curriculum.
	Article (125): The proposed general assembly Shall be supervised by the president of the Parliament and includes the Presidency of the Parliament and the blocks and have specific tasks		In the proposed project a staff was proposed under the name General Assembly which was important to coordinate between the blocks and a number of other things.
Article (111): The parliamentary opposition: includes all the parliamentary blocs that did not participate in the formation of the government or withdrew from them, where the work of the opposition is organized in the Parliament	Article (128) Parliamentary opposition: includes the blocs and members who did not participate in the formation of the government Article (129): The blocs that intend to be opposition must declare this in a session of the Parliament through a memorandum and the number of its members should not be less than three members Article 130: The opposition shall have the following rights: 1- Have a share of the committees of the Parliament according to their size, especially the committees of integrity, Parliament affairs and complaints, and the committee of finance, economy and investment. 2 - If they have opinions on	Opposition is not mentioned there	In the proposed project, a special part of the parliamentary opposition was precisely positioned, who they are, their number, their rights and their duties, this part has been removed Only in rule 111 of the ratified rules of procedure has the opposition been defined in a number of lines.

	<p>any of the articles and paragraphs, the opinion of the opposition must precede the other blocs</p> <p>3 - In the first session of any session of the opposition blocs to present its remarks in one word, which is dedicated to the general situation within the framework of the constitutional and legal frameworks in force</p> <p>4 - to participate in the diplomatic activities of the Parliament and delegations according to their size</p> <p>5 - If the opposition does not have any bloc, they have a representative in the General Assembly and have the right to request the meeting of the General Assembly</p> <p>6. On increasing this paragraph, there are two views: First: The existence of this paragraph is not necessary Second: If the opposition forms ¼ of the Parliament it has the right to have the post of Deputy Speaker of the Parliament or Secretary of the Parliament</p>		
<p>Article 115: The Center for Parliamentary Studies and the Directorate of Protocol and International Cooperation are linked to the Presidency of the Parliament</p>	<p>Article 136: The Parliamentary Studies Center and the Legal and Constitutional Advisory Center are linked to the Presidency of the Parliament, and there is a view that there is no need for a legal advisory center</p>	<p>In the previous system there were none of the centers mentioned</p>	<p>The Legal Consultative Center and the Constitution were important to provide advice to the Presidency of the Parliament and to support the Legal Committee, especially in light of the increase in the functions of the Legal Committee in the new rules of procedure.</p>

First reading of the Projects of Laws

During this session, the first reading of the following projects of laws and decisions was conducted:

No.	Name of law and decision	Referred Committees	Number of sessions	History of reading
1	Law project of activation of the inclusion law No. (31) for the year 2015 in Kurdistan Region	Legal	1	26/06/2018
2	Law project of the Syrian Academy of Sciences in Kurdistan Region	Legal / Educational / Culture	1	26/06/2018
3	Law project of activation, amendment and application the anti - human trafficking law No. (28) of 2012 in Iraq in Kurdistan Region	Legal / Internal / Human Rights	1	26/06/2018
4	Law project of first amendment of Law No. (2) of 2017 on the distribution of the powers of the presidency of the region to the constitutional institutions	Legal	1	26/06/2018
5	Law project of the council of women's affairs in Kurdistan Region	Legal / Woman	1	26/06/2018
6	Law project of amending anti-terrorism No. (3) for the year 2006 in Kurdistan Region	Legal / Interior / Human Rights /	1	26/06/2018
7	Project of resolution considering what happened in Shangal is a crime against humanity.	Legal / Martyrs	1	26/06/2018
8	Law project on the protection of water and sanitation networks	Legal / Municipalities	3	2/7/2018
9	Decision project on reception in accordance with the Protocol	Legal / Municipalities / Agriculture	3	2/7/2018
10	Rent estate amendment law No. (87) for the year 1979 as amended in the region	Legal / Municipalities	4	9/7/2018
11	Law project of amending the highways in the region 3 for the year 2012	Legal / Municipalities / Construction	4	9/7/2018
12	Decision project to acquire lands that have been exceeded in the limits of municipalities	Legal / Municipalities	4	9/7/2018
13	Law project (third amendment to the real estate rent law No. (87) for the year 1979 as amended in the region	Legal / Municipalities	5	10/7/2018
14	Freezing the establishment of the presidency of the region	Legal	5	10/7/2018
15	Law project of amending the judicial institute in the region	Legal	6	11/7/2018
16	Law project of (quality control system in Kurdistan Region of Iraq)	Legal / Health / Internal / Consumer	7	15/7/2018
17	Law project of protection of the national symbols	Legal / Endowments / Human Rights	7	15/7/2018
18	Law project of (compensation for war victims in Kurdistan)	Legal / Peshmarga / Interior / Human Rights	7	15/7/2018
19	Project activation law (law on the protection of witnesses, experts, informants and victims No. (58) for the year 2017)	Legal /	7	15/7/2018
21	Law project of activating (import and sale of petroleum products No. (9) for the year 2006)	Legal / Consumer	7	15/7/2018
22	Law project of activating (the law of controlling smuggled funds and prohibited circulation in local markets No. (18) for the year 2008).	Legal / Integrity	7	15/7/2018
23	Decision project of reviving the week of religious coexistence in Kurdistan Region	Legal / Endowments / Culture	7	15/7/2018

Open Discussions and Ideas

Open debates are methods that are not laws or decisions and are not recommendations. They are to discuss issues between the blocks within the parliament, and during this session a number of discussions were held:

1. In the session No. 4 in 9/7/2018 in the third point of the action program with reference to an open debate on Kurdistan Region elections in the presence of members of commissioners in the independent high commission for elections and referendum.

The deputy speaker of the Parliament has asked Handren Mohammed, president of the commission on elections and referendum in the region to provide clarifications of the commission about the elections of Kurdistan Region and Mohammed talked about how to update the voter register and the process of preparations for the elections and how to organize the voting centers and then the administrative section in the commission explained the subject of purifying the voter register technically and updating it to the members of the parliament.

After that, the deputy speaker of the Parliament opened the way for the members of the parliament and many questions and observations were asked about the voting process and the voter register, but it is noticeable in that:

-At the session, the members of the parliament criticized the report that was presented and was supposed to reach them before that, but it was not sent to them.

-They demanded to provide them with a voter register via CD, which the commission has pledged to send to the members of the parliament but they did not reach them.

-Many questions, criticisms and remarks were addressed to the members of the commission, but the commission evaded answering the questions and did not respond to the members of the parliament as required.

-A number of members of the parliament criticized the presidency of the parliament for did not doing the duties placed on him concerning observing the commission he did not deliver the memos and requests of members of the parliament to the commission, and he did not have attitude of the shortage of the commission.

The report that the head of the administrative department of the commission presented on the clearance of the voter register was an irrelevant report because the voter register had not been purified, and a number of the members of the parliament knew that truth but their voices were unheard.

2. At the session No. 4 on 9/7/2018, Gharib Mustafa, vice chairman of the committee of agriculture presented an idea on how to market the products of the peasants to the members of the parliament.

3. At the session No. 7 on 15/7/2018, Madina Ayoub Ahmed rapporteur of the parliamentary affairs committee submitted a report on the analysis of the administrative work in the Parliament of Kurdistan.

It should be noted that we will present some paragraphs in the report as they are, which referred to:

List of counselors referrers for retirement

There are 45 senior and retired referral counselors

It was suggested solving the referral of the counselors to the retirement which was done illegally and the review and correction of the retirement of those who work in the office of the Parliament of Kurdistan, who have been illegally retired or given higher ranks than their employment entitlement, and they should be dealt with in accordance with the law, as there are a number of counselors who have been appointed and promoted to the rank of senior adviser and referred to retirement within one day, and that is contrary to Law No. (36) for the year 2004.

No.	Counselors	Duration of service years
1	(2) counselors	(1) month has been referred to the retirement
2	(1) counselor	(5) months has been referred to the retirement
3	(4) counselors	(6) months has been referred to the retirement
4	(1) counselor	(7) months has been referred to the retirement
5	(1) counselor	(8) months has been referred to the retirement
6	(1) counselor	(9) months has been referred to the retirement
7	(2) counselors	(11) months has been referred to the retirement
8	(4) counselors	(1) year has been referred to the retirement
9	(10) counselors	(2) years has been referred to the retirement
10	(4) counselors	(3) years has been referred to the retirement
11	(5) counselors	(4) years has been referred to the retirement
12	(4) counselors	(5) years has been referred to the retirement
13	(3) counselors	(6) years has been referred to the retirement
14	(1) counselor	(8) years has been referred to the retirement
15	(2) counselors	(10) years has been referred to the retirement
Total		45 Counselors

Acknowledgments

1. The thanks and appreciation of the President of Parliament to the counselors and staff increases their service six months

2. Their service shall be increased by one month if it is directed by the office of Parliament

3 - Three thanks and appreciation are calculated for both counselors and employees annually.

4 - A large number of counselors and staff received four thanks and appreciation

For example, the counselors or employees who received between 3-4 thanks and appreciation, one year of service will be calculated by two and a half years, that is, if they have four years of service, 10 years will be counted for them.

Note, the large percentage of thanks to the counselors and employees were directed by the heads of the blocs and the heads of the committees from the direction of the Presidency of Parliament

I propose to cancel all the thanks and appreciation to the counselors and employees because it is calculated as a functional service and forms financial burdens on the government treasury and upon retirement.

No.	Year		Number
1	2014-2015	counselors	52
	2016-2017	employees	281
Total		333	

Real estate loans to consultants and employees

According to the decision No. (K / 189) on 14/2/2011 and the decision No. (Th / 100) on 8/2/2011, loans were granted for the purchase of housing properties without interest according to the following points:

No.	Rank	Package
1	Private	192.000.000 million dinars
2	First and second	144.000.000 million dinars
3	Third and fourth	120.000.000 million dinars
4	Fifth and sixth	102.000.000 million dinars
5	Seventh and eighth	84.000.000 million dinars
6	The ninth and tenth	72.000.000 million dinars

Group	Package
First group	28.782.000.000 billion dinars
Second group	7.268.025.000 billion dinars
Total	36.050.025.000 billion dinars

The task of the parliament is to legislate and not grant loans to counselors and employees, while there is a real estate bank, all citizens and employees in Kurdistan Region can get loans, and if it is the task of the parliament to grant loans, all citizens must obtain loans from the parliament

It was suggested issuing a decision as soon as possible on loans to counselors and employees in order to determine the percentage of deductions from their salaries to repay these loans.

The total number of cars of the office of the Parliament and how they are distributed and the cost of maintenance and fuel:

No.	Found with	No. of cars
1	Presidency of the Parliament	6
2	Director general of Diwan	1
3	Director general of Diwan agency	1
4	Parliament members	12
5	Counselors of Parliament	42
6	Offices	8
7	District directors	4
8	Department managers	18
9	Diwan (Staff Transportation)	27
10	Parliament security	3
11	Protocol	4
Total		126

1. The Diwan of the Parliament of Kurdistan owns 126 cars and was distributed in this way.

2. The fuel expenses of the cars of the Parliament is spent on a monthly basis.

3 - A large part of the expenses of oil change, maintenance and car wash are paid to counselors and employees, and there are 17 drivers allocated to the counselors.

Offices of Diwan of the Presidency of the Parliament

1. The number of offices is 8

2- Number of employees: 89 employees

3- Number of Contract Employees 16

Note: All the offices of the Parliament are located in rental buildings and are not owned, and the salaries of employees and other services are very large.

It was suggested that funds should be established in all governorates and districts, and that they should be dedicated to citizens' affairs instead of offices, and that this number of staff is transferred to the ministries that need staff.

No.	Name of office	Number of Employees	Notes
1	Sulaimani	18	3 contracts
2	Halabja	5	
3	Duhok	14	1
4	Akre	6	
5	Zaxo	6	1
6	Soran	13	
7	Ranya	15	1
8	Karkuk	12	10 contracts & guards
Total		89	16

Instructions of the Ministry of Finance and the decisions of Diwan of the Parliament of Kurdistan

The Ministry of Finance Instructions No. 10 and Book 1/4/7855 issued on 28/4/2011 set 20% risk allowance for rights and law graduates.

The decision of Diwan of the Parliament of Kurdistan No. 2/5/353 issued on 23/01/2013 pointed to the disbursement of 20% to 30% as risk allowance for the graduate of the Faculty of rights and law graduates.

The instructions of the Ministry of Finance No. (45) and book No. 15760 issued on 13/12/2013 determine the disbursement of hazardous allowance to engineers by 35%

Decision No. 2/5/89 issued on 13/01/2015 indicated the disbursement of hazard allowance for engineers by 35% - 50%.

The decision of the president of parliament No. B-K-C-10 issued on 21 June 2016, which was generalized to all the parliamentary blocs and the permanent committees in the parliament, all parliamentary delegations were canceled due to the financial crisis.

It is suggested to cancel all instructions and decisions issued that grant financial privileges in contravention of the laws in force for the disbursement of special and risk allowances in the Office of Financial Supervision.

Contracts to buy cars for the Parliament of Kurdistan

First Party: Director General of Diwan of the Parliament of Kurdistan (Dilman Mohammed Sabir)

Second Party / Jihan Motors Company

The contract was signed on 21/12/2014. The contract was approved by the president of Parliament, Yusuf Muhammed.

The Director General of Diwan (Dilman Mohammed Sabir) sent the book No. 2/5/4872 issued on 21/12/2014 sent to the special office of the Ministry of Finance and Economy to exempt 109 cars, which will be purchased from Jihan Motors Company from the customs upon entry from the crossing Ibrahim Khalil customs that will be imported on behalf of Kurdistan Parliament.

The Minister of Finance and Economy (Rebaz Mohammed Hamlan) sent a letter No. 22930 issued on 23/12/2014 to Ibrahim Khalil customs port, which refers to the provision of facilities and allow 109 cars belonging to the Parliament of Kurdistan, and that they are imported by Jihan Motors Company and are exempted from customs, but then the parliament canceled the contract. Here a number of questions are raised:

- Where is the amount of money dedicated for buying cars?
- Why the company accepted to bear the costs of cars ??
- What are the financial damages?

It is proposed to provide clarification to the members of the Parliament on the import of these cars on behalf of the Parliament of Kurdistan

No.	Function	Nominal salary	Hospitality	Transportation	Committees' Allocations	Full salary	Retirement	Income tax
1	President	5.700.000 million dinars	4.250.000 million dinars	0	0	9.950.000 million dinars	399.000 thousand dinars	215.050 thousand dinars
2	Deputy	5.700.000 million dinars	4.000.000 million dinars	0	0	9.700.000 million dinars	399.000 thousand dinars	
3	Secretary	5.700.000 million dinars	3.250.000 million dinars	2.000.000 million dinars	0	10.950.000 million dinars	399.000 thousand dinars	
4	Member	5.700.000 million dinars	1.500.000 million dinars	1.000.000 million dinars	500.000 thousand dinars	8.700.000 million dinars	399.000 thousand dinars	

The administrative structure of the Presidency of Kurdistan Parliament

1. The President of the Parliament and his deputy and the secretary of the Parliament.
- 2 - Directorate General of the Parliament - Assistant Director General
- 3- Secretary of the Presidential Office
- 4- (6) directorates - (19) departments - (2) sections
- 5 - Library - Center for Studies

Accommodation of members of the Parliament.

There are 61 properties in the Italian village.

Six presidential villas.

55 houses of the Parliament.

Naz City apartments in Building (N) are 56 apartments.

Note: the members of the Parliament are 111, but the number of housing units is more than that and there are 12 excess.

It is suggested that the excess properties be reconsidered, to be sold and returned to the state treasury.

Real estate, apartments and villas	Number
Naz City apartments (N)	56
The Italian village	61
Villas	6
Total	123

Third: control over the government

At this session, the Parliament did not exercise any control over the government and was unable to carry out its duties properly.

Fourth: Approving the budget

1. The Parliament had no role in approving the budget

Since five years ago, the Parliament did not approve budgets (2014, 2015, 2016, 2017, and 2018).

2. In addition the parliament did not approve the budget, and the government has distributed funds according to their own without any control and therefore no final accounts were sent for the years (2012, 2013, 2014, 2015, 2016, 2017) to the Parliament and no one knows how the budgets were handled and the parliament had no role in it.

Fifth: the resignation of the members

In session No. (5) on (10/7/2018) member (Raboon Ma'arouf) submitted his resignation application from the membership of the Parliament.

It was put to a vote and the resignation was accepted by all members of the Parliament.

Sixth: Members of Kurdistan Parliament

The Parliament of Kurdistan includes (22) different committees and that in accordance with the rules of procedure in article (37), which referred to the formation of committees and that members of the Parliament are entitled to membership of the committees in accordance with their wishes and specialties provided that there are no less than five members in these committees and not more than 11 members and the work of these committees are to follow up on government projects and contact citizens with a view to knowing their problems.

1/ The resignation of members of parliament committees

During this period, the following resignations were made in the committees of the Parliament:

In the session No. (1) on (26/6/2018) member (Saeed Mohameed Saeed) resigned from the Committee (Human Rights), and adding the member to the Committee of Peshmarga Affairs, martyrs, victims of genocide and political detainees)

* At the session (1) on (26/6/2018) member (Mustafa Ahmed Hamad) resigned from Endowments and Religious Affairs Committee and was added to the Committee of Agriculture and Irrigation.

2/ Meeting of the Parliamentary Committees

Because the book issued by the Directorate of the Parliament based on the request of the Deputy Speaker of the Parliament No. (4/4/452) on (27/2/2017) addressed to PAY Institute for Education and Development in which it was pointed out that no information was officially provided to us by the Parliament and therefore relying on what was published on the official website of the Parliament, during this session the committees held the following meetings:

No.	Name of Committee	Number of meetings
1	Legal Affairs Committee	4
2	Committee for the Defense of Women's Rights	0
3	Committee of Internal Affairs, Security and Local Councils	1
4	Finance and Economic Affairs Committee	3
5	Municipal Services, Transport, Communications and Tourism Committee	3
6	Integrity Committee	0
7	Committee of Peshmarga Affairs, Martyrs and Victims of Genocides	2
8	Parliamentary Affairs Committee	0
9	Agriculture and Irrigation Affairs Committee	3
10	Health and Environment Affairs Committee	4
11	Committee for Reconstruction and Housing	0
12	Industry, Energy and Natural Resources Committee	0
13	Education and Higher Education Committee	2
14	Civil Society Affairs Committee	1
15	Human Rights Committee	0
16	Committee for Social Affairs, Children and Family	1
17	Consumer Rights Committee	2
18	Committee of Kurdistan areas outside the region	1
19	Relations, Culture, Media and Antiquities Committee	1
20	Endowments and Religious Affairs Committee	0
21	Committee on Relations and Affairs of Kurdistan Communities	1
22	Sports and Youth Committee	0
Total		29

Notes on the meeting of the committees

The 22 parliamentary committees held only 29 meetings, which contradicts the parliament's internal rules at the time dozens of project laws have been referred to these committees and no reports have been written about them.

3/ Reporting on project laws

So far, 309 project laws and resolutions have been submitted to the Parliament, including 213 project laws and resolutions, the first reading was sent to the Parliament and the relevant committees, and so far the first reading of 96 projects has not been conducted, and of the total projects submitted to the fourth parliamentary session, 32 projects and eight resolutions were

approved, while the rest remained the same. During the spring session, two committees wrote the following reports:

1. Committee of Education and Higher Education on (22/5/2018) on the project law of education, which was conducted the first reading in (3/9/2014).

2. The Legal Affairs and Health Committee wrote the report on the project law on the rights of patients, doctors and journalists in the press sector on (9/9/2018) at the time of the first reading of this law in (21/4/2015).

In addition, nine laws have been reported on by the relevant committees.

The total number of reports that were supposed to be written by the committees are (495), but these committees have written (149) reports in four and a half years, and did not write (346) reports which were supposed to be written.

Violations of the Bylaws of Kurdistan Parliament

1. The rules of procedure of the Parliament were violated in most parliamentary sessions
2. The president of the Parliament submitted his resignation, but until the end of the parliamentary session it was not put in the work program of the parliament and this is contrary to the laws and the rules of procedure.
3. No work program has been announced for most sessions of the Parliament or, if it was announced, it was notified to the members of the Parliament shortly before the session.
4. No action was taken against the members of the Parliament who were absent in the sessions and those who were cut off from work.
- 5 - Of the 39 working paragraphs which were set as work programs for the sessions, 29 were implemented only and the remaining paragraphs were postponed.
6. The committees in which there were changes in their members did not change the names of the members of these committees on the website of the Parliament.
7. The names of the resigned members of the parliament remained from the membership of the parliament in the parliamentary blocs and their names have not been replaced by others who have replaced them in the website of the parliament, and we offer this observation more than once, but is not adopted by the parliament.
8. In a session on (17/7/2018) in which the new system was ratified and was supposed to apply the new system since the day of ratification, however, no paragraph of the new rules of procedure was implemented in the last session except for changing the addresses of the presidency from the deputy speaker and parliament secretary to the first and second deputy.

Closing Session of the Fourth Parliamentary Session

With the aim of concluding the sittings of the fourth parliamentary session, the first extraordinary sitting of the spring session was held in the fifth year of the fourth session at 12 pm on 31/10/2018 under the chairmanship of Jaafar Imeniki, First Deputy Speaker of the Parliament and Bigard Talabani, Second Deputy Speaker.

After reading the work schedule of the session that included two paragraphs, namely ending the fourth parliamentary session in accordance with the provisions of Article (6) of the bylaws of Kurdistan Parliament and the speech of the first vice-president of Kurdistan Parliament on the occasion of the conclusion of the fourth parliamentary session.

The first deputy speaker of the parliament made a speech on this occasion and presented a number of points and here we will refer to them and show our views on them.

First:

The deputy speaker of the Parliament: He thanked the members of the Parliament for carrying out their duties and tasks assigned to them to serve the citizens.

PAY Institute: Most of the members of the Parliament did not exercise the tasks entrusted to them as mentioned in the previous reports in addition to the high absenteeism rate in the sessions of the Parliament and the meetings of the committees and writing reports of draft laws and others.

Second:

The deputy speaker of the Parliament: He assessed the role of Parliament in the areas of legislation, parliamentary control, budget approval and divided the parliamentary performances into three stages: the first phase was the stage of coordination and joint work, the second phase was the interruption stage and the third one was the unification phase.

PAY Institute: Parliament was not supposed to go through these three stages, although it was beyond its will but the Parliament was deficient in these three stages, in the first phase there were important tasks which the Parliament did not perform such as writing and ratification of the draft constitution, the second phase was closing the Parliament and freezing of its duties and the Parliament has done nothing, and the third stage was violations of the rules of procedure and the laws on behalf of the Parliament.

Third :

The deputy speaker of the Parliament: He referred to the laws that were approved by the Parliament during the first two years of the fourth session in various fields, including the law of the Independent High Commission for Elections and Referendum in the region, the law on granting the budget of the parties, the law of the official languages in the region, the law of withdrawing storage by borrowing, the law of the oil and gas revenues fund, the draft constitution law of Kurdistan Region and the law on the protection of components and the amendment and activation of many other laws in the region.

PAY Institute: The laws referred to neither entered into implementation or been violated without the parliament having any stand on this.

- Law of the Independent High Commission for Elections and Referendum: was unable in the referendum 25/9/2017 and in the elections of 30/9/2018 to perform its tasks successfully and violated the laws and committed a large fraud in them without being held accountable by the Parliament or have a stand on it.

- Law on granting the budget to the parties: did not enter into implementation.

- Law of official languages: There were major violations against the Kurdish language and study in the Kurdish language and was neglected by the Ministry of Higher Education and the Ministry of Education without the Parliament having any stand.
- Borrowing Law: It was one of the worst laws and was opposed by a large number of parties and was implemented in a non-transparent way.
- Oil Revenue Fund Law: did not enter into implementation.
- Draft Constitution of Kurdistan Region: Its legal term has expired and the committee in charge of it did not end its tasks and the law has not been extended and its activities have been disrupted.
- Component Protection Law: Many violations of components have been practiced, as noted in the annual reports of the international organizations.
- The amendment and activation of many laws in the region and federal laws: The laws that have been amended or extended its work saw many objections such as the law against terrorism and rent real estate and that the activation of laws show the weakness of the Parliament at the time it cannot issue laws and it activates the laws issued in the Iraqi federal government.

Fourth:

The deputy speaker of the Parliament: He talked about the decisions that were issued during the first two years of the Parliament, including (Decision No. 28 on sending Peshmarga forces to support Western Kurdistan), the decision to consider Halabja as the capital of peace in Kurdistan Region, the decision to form a committee to investigate and consider what happened in Shngal is a crime against humanity, and the decision to reject the decisions of the Federal Government and the Iraqi Council of Representatives on 30-9-2018 against Kurdistan Region and during this session 59 decisions were issued in all specialties.

PAY Institute

- The decision to send Peshmarga forces to Western Kurdistan to provide support and assistance is one of the historic and good decisions of Kurdistan Parliament and deserve to be commended.
- The decision to consider the province of Halabja as the capital of peace in Kurdistan Region is a good decision, which was issued by the Parliament, but it should have followed up the implementation of the resolution.
- The decision to form a committee to investigate and consider what happened against the components of Kurdistan Region is a crime against humanity, this committee was born dead and that until its dissolution was not able to take any action.
- The decision to reject the decisions of the federal government and the Iraqi Council of Representatives issued on 30-9-2018 this decision was only for the media and did not result in any actions.
- The resolutions issued at this session were 59 resolutions issued on various things and other decisions were administrative decisions specific to the affairs of the Parliament and have no impact on the lives of the citizens and the situations in the region.

Fifth:

The deputy speaker of the Parliament: He pointed to the political and financial crisis in Kurdistan Region and the problems between the parties and stay away from the principle of consensus on laws and fateful issues, especially on the amendment of the law and powers of the President of the Region and deepening problems with the federal government and the

continuation of the war against terrorism, which led to the inability of the Parliament to hold its sessions for two years and has had a negative impact on the performance of the Parliament, especially in the subject of legislation, the issuance of laws and decisions and government monitoring.

- PAY Institute

The only reason for the disruption of the Parliament is the failure to implement laws and the continuation of power illegally and prevent the president of the Parliament and the failure to hold any session for more than two years affected the reputation of the Region.

Sixth:

The deputy speaker of the Parliament: He has highlighted the re-resumption of parliamentary sessions on September 15, 2017, during which time he issued 15 laws, the most important of which (the law to extend the legal period for the fourth session of two sessions, the Law on the Distribution of the Powers of the Presidency of Kurdistan Region to the Constitutional Institutions in the Region, the General Amnesty Law in Kurdistan Region, the law of regulating the transfer and transplantation of human organs in Kurdistan Region, the Law on the Prevention and Removal of Abuses on Land and State Property, the law of freezing the institution of the presidency of the region, the law on the elimination of human trafficking, and the third amendment to the law of rental property in Kurdistan Region.

PAY Institute: The laws passed in this period were either disagreements about them or do not deserve to be commended and have resulted in bad results.

- The law to extend the legal duration of the fourth session of two sessions: led to the extension of the work of the Parliament and the postponement of elections and that was contrary to the laws.

- Law on the distribution of powers of the presidency of Kurdistan Region to the constitutional institutions in the region: It is the task of the Parliament to amend the law of the presidency of the region (the Parliament was prevented from doing so by the Kurdistan Democratic Party) or take action to choose a new president of the region and what happened is a violation of laws by law.

- The amnesty law in the Kurdistan Region: is one of the bad laws that have been issued where the laws were violated by the law and it led to increase the crime rate instead of reducing it.

- The Regulation law of transferring and transplantation of human organs in Kurdistan Region: is a good law and the Parliament deserves praise for issuing this law.

- Law on the prevention and removal of transgressions on land and state property: It is a good law but did not enter into implementation.

- Law of freezing the institution of the presidency of the region: It is the task of the Parliament to amend the law on the presidency of the region (the Parliament was prevented from doing so by the Kurdistan Democratic Party) or take action to choose a new president of the province and what happened is a violation of laws by law.

- The Law on the Elimination of Human Trafficking: It is a law passed by the Iraqi Parliament and has been widely criticized.

- Third amendment to the law of real estate rent in Kurdistan Region: This law is extended or amended more than once, but could not address the crisis of real estate rent in the region

Seventh:

The deputy speaker of the Parliament: He pointed out the number of sessions of the parliament and the drafting of laws and decisions that were taken and issued during the five years of the fourth session, and that during this session 131 sittings were held, 309 laws and resolutions were submitted, and that the first reading of 206 laws and resolutions was made and was sent to its competent committees, and the first reading was not done to 103 projects, and that during this period, the Parliament drafted 33 laws and 31 of them were issued and two bills were rejected. The first is the draft amendment of the demonstration law, which was rejected by the president of the region and the second, the draft reforms law, which was rejected by the Presidency of the Parliament.

PAY Institute: The numbers referred to by the Deputy Speaker of the Parliament either were not correct, or are interpreted otherwise

- The Parliament held 97 sittings, not 131, according to the parliament's work program
- The submission of 309 draft laws and decrees, a first reading of 206 was made and was sent to its concerned committees and 103 did not conduct the first reading, and that indicates the ineffectiveness of the Parliament and the committees due to the fact that a large number of draft laws remain untouched which have not been converted into laws, and it indicates that 10% of the draft laws that have been submitted have been converted into laws.
- When the demonstration draft laws was rejected by the presidency of the region, the Parliament was supposed to re-put it in the program of work, but it was unwilling and was unable to do so and that is contrary to the laws and internal regulations.
- The Parliament was not successful in ratifying the reforms law.

Eighth:

The deputy speaker of the Parliament: Refers to the last act of the Parliament which is the amendment of the rules of procedure of the Parliament.

PAY Institute: The issuance of a new rule of procedure was a good work, despite the observations on it but nevertheless, the Parliament announced that the rules of procedure will be implemented after the issuance, but what happened is that only the characterization of the deputy speaker and the secretary of the Parliament has been changed to the first deputy and second deputy, no other paragraph of the rules of procedure has been implemented, while these changes contradict the election laws because of the presence of the deputy speaker and secretary, not the first and second deputy, and there were no changes in the names and composition of the committees, and no changes have been done in the planning of the administration of the parliament, etc.

Ninth:

The deputy speaker of the Parliament: He highlighted the tasks of censorship on the government and asked questions and field visits to the parliamentary committees of the ministries and follow up the problems and demands of citizens and the formation of many temporary committees to address the problems and follow-up their demands and the preparation of many different draft laws during this session.

PAY Institute: The parliament did not exercise any censorship role on the government and the executive and did not have any project to serve the citizens came into implementation and to be listened to.

Tenth:

The deputy speaker of the Parliament: He talked about the budget of the region and send it to the Parliament and the tasks of the Parliament in the discussion of the budget and pointed out that unfortunately since the beginning of the fourth session of the Parliament 17% of the budget was withheld, which constitute the share of Kurdistan Region of the federal budget by the Iraqi Government and the decline in oil prices in global markets and the continuation of the war against ISIS, which led to a financial and economic crisis in the region, which led to the inability of the government as noted in the laws and internal curriculum to send the draft budget to the Parliament before the start of the fiscal year, or to send the final accounts in April to the Parliament so that the members of the Parliament can discuss them in a transparent manner on the annual revenues and expenses of the region and validated them.

PAY Institute: The failure to send the draft budget to the Parliament was not linked to not to send the region's share of the federal budget because of the existence of local revenues and the government of the region was continuing to export oil, but since five years ago the government did not send the draft budget to the Parliament and that is linked to the concealment of revenue sources and lack of transparency.

Failure to send the final accounts of the Parliament is not linked to the financial crisis and the government disbursed the budget regardless of the amount it was supposed to be sent to the Parliament.

And that all linked to the weakness of the Parliament and the lack of will in this institution, which was not at the level of ambition of laws and legal tasks assigned to them.

**Summary of Parliament's activities during the session
(6 March 2018 - 6 November 2018)**

No.	Title	No.
1	Number of sessions of the Parliament	10
2	Number of adjourned sessions	2
3	Number of working paragraphs	39
4	Number of working paragraphs / implemented	29
5	Number of working paragraphs / not implemented	10
6	Number of law projects that its first reading was conducted in the spring session	23
7	Number of laws ratified	8
8	Number of ratified decisions	1
9	Number of members of the Council of Ministers requested by members of the Parliament to be present at sessions of the Parliament	0
10	Number of members of the Council of Ministers requested by members of the Parliament to attend the sessions of the Parliament and have attended	0
11	Number of members of the Council of Ministers requested by members of the Parliament to attend the sessions of the Parliament and did not attend	0
12	Number of members of the Council of Ministers who attended the sessions of the Parliament upon their request	0
13	Number of inquiries of members of the Council of Ministers in the Parliament	0
14	Number of committee meetings	29
15	Number of committees' written reports on draft laws since the beginning of the parliamentary session	14
16	Number of committees' unwritten reports on draft laws since the beginning of the parliamentary session	296
17	Number of questions from the Parliament members to the government	0
18	Number of questions from members of the Parliament to the government that were answered	0
19	Number of questions from parliamentarians to the government that have not been answered	0

Results

1- There are risks to the parliamentary dominance in Kurdistan Region because it can not ratify laws that are contrary to the interests of the executive authority, that is, the government imposes its hegemony over the Parliament.

2 - There were a number of important laws, including (the law on reforms in salaries and allowances, and the amendment of the anti-terrorism law, and the activation of the law on trafficking in human beings, and the second reading of the draft social security law), but these laws have not been issued in a manner consistent with the interests of the citizens and that the second reading of a number of draft laws has not been conducted despite considerable efforts by the committees.

3- One of the most important tasks of the Parliament is to monitor the executive branch, but at this session also it was unable to take any action.

4 - The failure to implement laws, decisions and recommendations of the Parliament by the executive authority confirms that the Parliament is not able to control the Parliament.

5. The role of the Parliament in the political arena in the region has been marginalized and is marginalized in fateful cases, although under Decree No. 1 of 2005, the political leadership must return to the Parliament in fateful cases.

6- During the session, only eight sessions were held and this is contrary to the parliamentary work and in most sessions the rules of procedure were violated.

7. The live broadcast of the meetings was suspended and a large number of sessions were closed without any sensitive topics being raised by the Parliament and without be worthy of being closed.

8. The fourth parliamentary session, which lasted five years, passed 32 laws and 8 resolutions despite a first reading of 213 law projects has been conducted.

9- During this session two laws of federal laws were activated and that led to many criticisms for not taking any difference into account and was activated as it is, in addition to asking questions about why Kurdistan Region does not have its own laws.

10- The Parliament was unable to follow up and hold the government responsible on how to export oil, oil revenues and details of oil contracts. Although the Parliament issued Law No. (2) of 2015 on the law of the region's oil and gas revenues fund, the government did not listen to the Parliament and acted according to its whims and did not apply laws.

11. During this session the Parliamentary Committees have prepared the least number of reports on the draft laws and the government work has not been followed up.

12. No minister has been summoned to the Parliament for accountability

13- Of the four staffs associated with the Parliament, three of which its legal period expired:-

- Office of Financial Supervision: The legal period ended since (7/5/2018).

- Independent Commission for Human Rights, its legal term expired since (17/1/2017).

- Integrity Commission in the region, its legal term expired since (13/5/2017)

The problem was supposed to be solved legally, but no action was taken and this is considered as a violation of the laws.

14- The Speaker of the Parliament has submitted his resignation, but so far has not been discussed and has not been placed in the work program of the Parliament and that is contrary to the laws and rules of procedure

15. The resigned members and those who have replaced them have not been replaced in the lists of their parliamentary blocs on the website of the parliament.

16- - No action was taken against the members who were constantly absent.

17- According to paragraph (3) of Article (1) of Law No. (2) of 2017 the Law on the Distribution of the Powers of the Presidency of the Region to the Constitutional Institutions in the Region the power to sign the laws has been granted to the presidency of the Parliament, ie three members (the president, his deputy and a secretary), but none of the laws passed bears the signature of the presidency of the Parliament.

Appendix
Summary of the Parliament activities during the five years of the fourth session
(6/11/2013 - 6/11/2018)

Title	No.
Number of sessions of the Parliament	99
Number of working paragraphs	200
Number of working paragraphs / implemented	196
Number of working paragraphs / not implemented	156
Number of law projects that its first reading was conducted since the start of the parliamentary session	213
Number of laws for which a first reading was made	96
Number of laws ratified	33
Number of laws sent to the Presidency of the Parliament	309
Number of ratified decisions	8
Number of members of the Council of Ministers requested by members of the Parliament to be present at sessions of the Parliament	33
Number of members of the Council of Ministers requested by members of the Parliament to attend the sessions of the Parliament and have attended	13
Number of members of the Council of Ministers requested by members of the Parliament to attend the sessions of the Parliament and did not attend	20
Number of members of the Council of Ministers who attended the sessions of the Parliament upon their request	2
Number of inquiries of members of the Council of Ministers in the Parliament	0
Number of committee meetings	554
Number of committees' written reports on draft laws since the beginning of the parliamentary session	149
Number of committees' unwritten reports on draft laws since the beginning of the parliamentary session	346
Number of questions from the Parliament members to the government	826
Number of questions from members of the Parliament to the government that were answered	524
Number of questions from parliamentarians to the government that have not been answered	302
Number of absences in the regional parliament meetings	1183



A Brief Account of PAY Institute For Education And Development

PAY Institute has registered by the Non-Governmental Organization Department of the Kurdistan Regional Government in November, 2013. PAY is a Kurdish non-governmental independent, non-seeking profit .

A Summary On The Institutes' projects:

1. A Common Project Among Civil Society Organizations And High Educational Apparatuses In The Kurdistan Regional Government.

This project which the institute carried out and its fund which was provided by the non-governmental organization department and tried to interpret the 2013 mandate number 5 of the Kurdistan parliament on the common agreement and development among general authorities and non-governmental organizations in the region of Kurdistan. This project included four workshops, gathering with the presidents of all universities in Kurdistan regional government and holding a two day conference. The participants signed a partnership agreement about common work and presented some suggestions to the concerning participants. The project longed for a year.

2. The project Of Monitoring The Kurdistan Parliament.

This project includes the monitoring and evaluation of the work of the Parliament of the Kurdistan Region based on (the principle of the development of laws and oversight of public institutions), and that the project publishes semi-annual reports and so far year published (9) reports and art of the project includes a website called (Observatory) (In Kurdish and Arabic) and disseminates information. This project is implemented in cooperation with the National Fund for Democracy Support (NED).

3. The project of monitoring on the work of the Ministry of Education

This project has published four reports on the work of the Ministry of Education:

first report: A Workshop About The Phenomenon of Studying Abandon In Kurdistan Region

This project included a contribution workshop between both the international cooperation for human value organizations and PAY Institute for Education And Development about lessening and decreasing the range of this phenomenon in the region of Kurdistan which was held on (June 18-19, 2014) in Erbil province, with a number of 120 attendants including the parliament representatives, ministries, organizations and mass media apparatuses. This project like the previous ones fulfilled in a voluntary way.

Second report: The project of Monitoring of Educational Ministry's Works

This project published at (June 25, 2014), it included 101 points report on the problems of education and study in Kurdistan Regional government. With the commencement of the new cabinet of Kurdistan Regional Government, this report was presented to the Minister of education in presence of professors, organization representatives and media apparatuses of the Kurdistan Regional Government.

Third report: contributing to further activating vocational education in the provinces of Sulaimani and Halabja The project was a field project aimed at highlighting the problems facing vocational education and suggested solutions conducted by PAY Institute for Education and Development and Halwest Organization in cooperation with Public Aid Organization (PAO) and Norwegian People Aid (NPA). The project consisted in three workshops, brochure distribution and a research. It was carried out between 1/5/2017 and 1/10/2017.

Fourth report: Private Education between Quality and Business (Problems and solutions) The project consisted in a report prepared on private education in Iraqi Kurdistan and its problems as well as suggested solutions. The study took Sulaimani provincial center as a sample and it was implemented by PAY Institute for Education and Development in cooperation with Norwegian People Aid (NPA) and Reform Institute for Development (RID). The study was completed and carried out between 1/7/2017 to 1/10/2017

Fifth report: Education in face of challenges and unsolved problems

This activity consisted of a conference and publishing an evaluation report on Kurdistan Region's Ministry of Education works and activities during five years of work. The conference covered seven panels delivered by professors and specialists.

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4. The Project For Monitoring of Works By Ministry of Higher Education And Scientific Research: This project has, so far, released two reports on the Ministry of Higher Education's activities and duties.

first report: The Challenges of Higher Education and the Search for Solutions, highlighting 140 problems and an open letter to the Minister of Higher Education

This project was delivered on the 22nd of July, 2014 in the presence of the minister of higher education and 80 university professors, delegates and representatives of organizations and media channels. During the session, the minister of higher education decided that the report be sent to all the universities to receive their opinions on the contents of the report and their suggested solutions. He also pledged to follow up the recommendations as well.

Second report: Higher Education in face of challenges and unsolved problems

This activity consisted of a conference and publishing an evaluation report on Kurdistan Region's Ministry of Higher Education works and activities during five years of work. The conference covered seven panels delivered by professors and specialists.

5. The project of monitoring the High Independent Commission for Elections and Referendums:

This project started in July 2017 to cover the referendum process and the elections for Kurdistan parliament on September, 30th, 2018. The project submitted the violations and the threats for the process to the commission in the form of ultimatums. Thus, in November, 2017, it submitted a report titled "The electoral registers between integrity and fraud"; then following Kurdistan parliament's fifth term elections, it submitted two reports on public and special polls.