

**Republic of Iraq**

**Council of Representatives**

**Parliamentary Department**

**Legislative Follow up Section**

**Decision**

Pursuant to the provisions of Article 59/Second, Article 138/Fifth/A and Article 94 of the Constitution, the CoR has issued the following decision:

**Clarification Memo**

Pursuant to the provisions of the Constitution which guarantee the rights of participation in public affairs as well as the political rights, including the right to vote, elect and nomination, for all citizens, males and females, the CoR adopted the first draft amendment of the Elections Law No. 16 (2005)

Due to the views and discussions that took place during the formulation of some parts of the first draft amendment of Law No. 16 (2005), and due to the outcomes of the current discussions between the representatives of the parliamentary blocs as well as the reports of national and UNAMI experts and other concerned parties, and based on the explanation of the Supreme Federal Court stated in its decision in response to the questions of the CoR, the following matters are noted in the interpretation of these texts:

**First:** In accordance with Article 49 of the Constitution and in the absence of a recent census as well as after reviewing the official statistics of the Ministry of Trade for 2005 with a population growth of 2.8% annually and after considering some population migration, the size of the Council of Representatives shall be 325 seats.

**Second:** 310 seats shall be distributed to the governorates based on their administrative boundaries as noted in the attached annex. The number of the compensatory seats shall be 15 seats.

**Third:** To ensure the rights of minorities, a number of seats has been allocated pursuant to Article 1/Third of the draft amendment, which allocates them from the compensatory seats as stated in Article 1/Fourth of the Draft. [The seats] will be given [to the minorities] in accordance with the numbers mentioned in Article 1/Third provided that the seats allocated to the Christian component be within one national constituent.

The interpretation of the provisions of the Elections Law shall be in light of the above and in accordance with these clarifications vis-à-vis some of the Articles in the draft law amendments in particular. This memo shall be considered a supplementary part to the mentioned law.

UNOFFICIAL UNAMI TRANSLATION

| <b>No.</b> | <b>Governorate</b> | <b>No. of Seats</b> |
|------------|--------------------|---------------------|
| 1          | Baghdad            | 68                  |
| 2          | Ninewa             | 31                  |
| 3          | Basra              | 24                  |
| 4          | Thi-Qar            | 18                  |
| 5          | Babel              | 16                  |
| 6          | Suleimaniya        | 17                  |
| 7          | Anbar              | 14                  |
| 8          | Erbil              | 14                  |
| 9          | Diyala             | 13                  |
| 10         | Kirkuk             | 12                  |
| 11         | Sala El-Din        | 12                  |
| 12         | Najaf              | 12                  |
| 13         | Wassit             | 11                  |
| 14         | Qadissiya          | 11                  |
| 15         | Missan             | 10                  |
| 16         | Dohuk              | 10                  |
| 17         | Kerbala            | 10                  |
| 18         | Muthanna           | 7                   |
|            | Compensatory       | 15                  |
|            |                    | 325                 |