

Constitutional Talks Granted More Time

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Negotiations on key issues extended after failure to meet deadline.

Representatives of the various political factions plan to hold continuous negotiations this week after they failed to meet an August 15 deadline to submit a draft constitution.

Just before the midnight deadline, the National Assembly unanimously voted to amend the interim constitution to give it another week to submit the draft. The new deadline is August 22.

But the October 15 referendum date on the constitution and the December 15 date for holding new elections have not been changed.

The three main factions representing Shia, Kurds and Sunnis failed to agree on the key issues of federalism and Kurdish self-determination, the role of Islam, revenue distribution and other issues.

“There are 18 divisive points that are still unresolved,” said Baha al-Aaraji, a representative of the mainly Shia United Iraqi Alliance and a member of the parliament constitution committee.

Lawmakers did agree on naming the country the “Republic of Iraq” without attaching the words “federal” or “Islamic” to the name. They also agreed that Kurdish should be the second formal language and that the Kurdish militia, or the peshmerga, would be recognised as the security forces protecting the Iraqi Kurdistan region.

Parliament was to meet on August 14 to discuss the constitution, but the meeting was cancelled. And there were delays in meetings on August 15 before lawmakers came up with the last-minute decision to extend the constitution deadline.

It is unclear whether the disagreements can be resolved in a week, as the different factions are refusing to compromise on key points.

All three factions also have the power to scupper the constitution in the referendum vote. If a two-thirds majority in three of Iraq’s 18 governorate disapprove of the constitution, it will be defeated.

If the political blocs can’t agree on a constitution, the interim law requires that the National Assembly be dissolved and new elections will have to be held.

One of the main divisive issues is federalism, which is strongly rejected by Sunnis who fear that it would divide Iraq.

“We don’t support federalism aimed at dividing Iraq,” said Abid Salih Mutlak, a Sunni member of the constitution committee. “We [back] a decentralised authority that grants more administrative freedom to the governorates.”

Mutalk said Sunnis made a mistake in boycotting the January national elections, which left them with hardly any representation in the National Assembly. There are only 17 Sunnis in the 275-member parliament.

The Shia-dominated United Iraqi Alliance came in first place and formed a coalition with the second place Kurdish Alliance list, but cracks have been appearing in that partnership over disagreements on the constitution.

Like the Kurds, many Shia support federalism as they hope to set up a semi-autonomous region in the south. Jalalaldin al-Saghir, a United Iraqi Alliance member of the constitution committee, said federalism should be applied equally across Iraq.

“We don’t object to the principle of federalism but its details,” said al-Saghir. “It should be for all of Iraq, or not be at all.”

Raja al-Khuzai, a representative of the Iraqi List and a constitution committee member, said there is also no agreement on how much revenue should be distributed to the provinces and regions.

Part of that disagreement has to do with new and increasing Kurdish demands. Iraqi Kurdistan president Massoud Barzani said his region’s share of Iraq’s revenues should rise from 17 per cent to more than 50 per cent.

Iraqi Kurdistan, which includes the three northern provinces of Dohuk, Irbil and Sulaimaniyah, has been a semi-autonomous region since Saddam Hussein lost control of the area in the 1991 Gulf War.

Barzani has also been demanding that the constitution incorporate a provision for Kurdish self-determination.

“The right of self-determination is a guarantee for the Kurdish people and does not mean separation,” said Abdul-Khaliq Zangana, a Kurdish member of the constitution committee. “It’s a guarantee in case any central authority retreats on federalism, the Kurdish people have the right to a referendum for self-determination.”

But Shia and Sunni Arabs stand against their Kurdish counterparts on this and other issues.

“Shia and Sunnis disagree with the Kurds about self-determination, revenue sharing and language issues,” said Maryam al-Rayis, a United Iraqi Alliance representative on the constitution committee.

The political factions did agree to maintain the 25 per cent quota for women members of parliament, although women’s rights groups had been lobbying to increase it to 50 per cent, said al-Khuzai.

They also agreed to ditch a proposal which would have set out a timeframe for the elimination of the quota.

“We were able to achieve a victory for Iraqi women,” said Faiza Babakhan, a Kurdish member of the constitution committee.

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