

**Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>**

Country/ entity	Iraq Kurds-Kurdistan
Region	Middle East and North Africa Cross-regional
Agreement name	Erbil Agreement
Date	7 Nov 2010
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict ( Iraq Wars and the Iraqi Insurgency (1989-1990) (2004 - ) )
Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Kurdistan/Iraq territorial conflict
Parties	The meeting minutes were signed by: Rose Nuri Shaways, Deputy Prime Minister, Representative of Kurdistan Region President and Kurdistan Alliance, leader of National Coalition, Hassan Al-Sunaid, leader of IS, Salman Al-Jumaili.
Third parties	-
Description	Short agreement providing for substantial governmental reforms, encompassing the executive, legislature, and judiciary. Primary among them, the balance law seeks to provide some 'balance' between various government positions.

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Agreement document [IQ\\_101107\\_Erbil Agreement.pdf](#)  | [Download PDF](#)

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## Groups

Children/ youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	Groups→Elderly/age→Substantive Page 2, Aspect Four: Security Reform Paper ... 6 - Establish research centers to benefit from the experience of retirees [from security forces]
Migrant workers	No specific mention.
Racial/ ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/ displaced persons	No specific mention.
Social class	No specific mention.

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## Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

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## State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.

Cross-  
border  
provision

No specific mention.

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**Governance**

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→General references  
Page 1, Aspect One: Administration and Finance:

1. Privileges of Members: review legislations with regard to privileges of members and their replacement (entitlements, salaries, protection, pension and administrative and financial powers).
2. Reform of the Parliament: strengthening the capacities of CoR's cadres to enable them perform their duties with regard to drafting legislations, and following up with the laws of different Committees within a specific time frame. Additionally, draft laws or legislations submitted to or received by the Council should not be neglected.

Page 1, Aspect Two: Legislations/Laws:

2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:

... – Law of the Federation Council

... – The Executive Authority Law

Page 2, Aspect Three: The Oversight Role

1. Activation of linking independent bodies/commissions with the Council of Representatives: in accordance with the Constitution (the Integrity Commission, Bureau of Financial Audit, Media Network, Media and Communication Commission) and in accordance with the decision of the Federal Court.

2 – Address and resolve the issue of acting officials (acting minister, commission chairman, deputy minister, etc.) within three months from the beginning of the term of the Council of Representatives (CoR) while ensuring constitutional balance.

... 4 - Adopt a clear and agreed mechanism for summoning and questioning members of the executive authority and not leave this to the interpretations of the Presidency.

Page 4, Balance in state institutions

Aspect VI: Achieving national balance in:

... 5 - Activate the Constitution and laws related to appointment and employment and speed up the establishment of the Federal Civil service Council provided for in Article 107 of the Constitution which was endorsed by the CoR in its last term.

Page 4, Aspect V11: Reform of the Executive Authority

... 4- Approval of an agreed-upon by law that regulates the work of the Council of Ministers and identifies the powers of the Council and its members.

Page 4, Aspect V11: Reform of the Executive Authority

... 7- Activation of the supervisory role of the Council of Ministers over the performance of ministries.

Page 4, Aspect V11: Reform of the Executive Authority

... 10- Combination of legislative and executive positions shall be barred.

11- Direct interference in the work of Ministries through agents, advisors and

Elections	<p>Page 1, Aspect Two: Legislations/Laws:</p> <p>2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:</p> <p>... – Electoral law</p> <p>– Electoral Commission Law</p>
Electoral commission	<p>Page 1, Aspect Two: Legislations/Laws:</p> <p>2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:</p> <p>... – Electoral law</p> <p>– Electoral Commission Law</p>
Political parties reform	No specific mention.
Civil society	<p>Page 1, Aspect Two: Legislations/Laws:</p> <p>2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:</p> <p>... – Law on [Political] Parties</p>
Traditional/ religious leaders	No specific mention.
Public administration	<p>Page 4, Aspect V11: Reform of the Executive Authority</p> <p>1- Adoption of efficiency and professionalism principle and achievement of constitutional balance in public service in accordance with the Public Service Council Law.</p> <p>2- Restoration of the constitutional balance resulting from the appointments that were made in the past period and guarantee of the constitutional representation of Governorates (not agreed upon).</p>

Constitution Governance→Constitution→Constitutional reform/making

Page 1-2, Aspect Two: Legislations/Laws:

1. Reformation of the Constitutional Review Committee: in a manner that ensures actual participation of all winning blocs in the Committee and the implementation of the agreed amendments.

2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:

- The Federal Court Law
- Oil and Gas Law
- National Reconciliation Law
- Law for Organizing Security Apparatus
- Law on [Political] Parties
- Law of the Federation Council
- Electoral law
- Electoral Commission Law
- Media Network Law
- The Integrity Commission Law
- Law of Inspectors General
- Law of Bureau of Financial Audit
- Balance Commission Law
- Federal Revenues Law
- The Executive Authority Law
- Law of Journalism and Protection of Journalists.

Page 2, Aspect Two: Legislations/Laws:

3. Formation of permanent parliamentary committees: Chairs, Deputy Chairs and Rapporteur should be appointed in accordance with the electoral entitlements and constitutional equilibrium.

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## Power sharing

Political power sharing	<p>Power sharing→Political power sharing→General State level</p> <p>Balance in state institutions</p> <p>Aspect VI: Achieving national balance in:</p> <p>A – Deputy Ministers</p> <p>B – Ambassadors</p> <p>C - Heads of agencies and the Independent Commission.</p> <p>D - In federal ministries and military and security institutions at the rank of director general and above or its equivalent (division commanders, ministries secretariat, etc.)</p> <p>2 - The national balance commission law shall be enacted within a period not exceeding six months from the date the parliamentary committees begin their work. The commission shall be established immediately after the entry into force of the law upon agreement of the blocs.</p> <p>3 - The commission shall adopt constitutional balance and ensure the rights of all regions and governorates in all state institutions including the military and security institutions at all levels.</p> <p>- Activate the role of the ministries councils and independent bodies and grant appropriate powers to deputy ministers and deputy chairmen of independent bodies to achieve participation.</p> <p>5 - Activate the Constitution and laws related to appointment and employment and speed up the establishment of the Federal Civil service Council provided for in Article 107 of the Constitution which was endorsed by the CoR in its last term.</p> <p>Power sharing→Political power sharing→Executive coalition State level</p> <p>Page 4, Aspect V11: Reform of the Executive Authority</p> <p>...2- Restoration of the constitutional balance resulting from the appointments that were made in the past period and guarantee of the constitutional representation of Governorates (not agreed</p> <p>...</p> <p>3- Guarantee genuine participation of the parities allied in the Government in decision making (political, security and economic).</p>
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.

Military power sharing      No specific mention.

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## Human rights and equality

Human rights/RoL general      Page 2, Aspect Four: Security Reform Paper  
... 4 - Investigate with all security leaders and personnel against whom human rights violation claims are received. No one should be given immunity under any pretext.

Bill of rights/similar      No specific mention.

Treaty incorporation      No specific mention.

Civil and political rights      No specific mention.

Socio-economic rights      No specific mention.

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## Rights related issues

Citizenship      No specific mention.

Democracy      No specific mention.

Detention procedures      No specific mention.

Media and communication	<p>Rights related issues→Media and communication→Media roles</p> <p>Page 1-2, Aspect Two: Legislations/Laws:</p> <p>2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:</p> <p>... – Media Network Law</p> <p>... – Law of Journalism and Protection of Journalists.</p> <p>Page 2, Aspect Three: The Oversight Role</p> <p>1. Activation of linking independent bodies/commissions with the Council of Representatives: in accordance with the Constitution (the Integrity Commission, Bureau of Financial Audit, Media Network, Media and Communication Commission) and in accordance with the decision of the Federal Court.</p> <p>... 3 - Activate the role of the various media outlets as the fourth power and pass the journalism law and the journalists' protection law.</p> <p>...</p>
Mobility/ access	<p>No specific mention.</p>
Protection measures	<p>Rights related issues→Protection measures→Protection of groups</p> <p>Page 1-2, Aspect Two: Legislations/Laws:</p> <p>2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:</p> <p>... – Media Network Law</p> <p>... – Law of Journalism and Protection of Journalists.</p> <p>Page 2, Aspect Three: The Oversight Role</p> <p>1. Activation of linking independent bodies/commissions with the Council of Representatives: in accordance with the Constitution (the Integrity Commission, Bureau of Financial Audit, Media Network, Media and Communication Commission) and in accordance with the decision of the Federal Court.</p> <p>... 3 - Activate the role of the various media outlets as the fourth power and pass the journalism law and the journalists' protection law.</p> <p>Rights related issues→Protection measures→Other</p> <p>Page 1, Aspect One: Administration and Finance:</p> <p>1. Privileges of Members: review legislations with regard to privileges of members and their replacement (entitlements, salaries, protection, pension and administrative and financial powers).</p>

Other No specific mention.

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## Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## Justice sector reform

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Reform to specific laws  
Page 3, Aspect V: Judicial Reform Paper  
... 6 - Review the Anti-Terrorism Law.

Page 5, Part Nine: Accountability, Justice and national reconciliation  
...3- Reconsideration of the Accountability and Justice Law by making agreed upon amendments thereto to prevent the use of the law with double standards or to use the law for political purposes. And the issue shall be addressed in accordance with the Law.

State of emergency provisions No specific mention.

Judiciary and courts Page 1, Aspect Two: Legislations/Laws:  
2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:  
– The Federal Court Law

Page 3, Aspect V: Judicial Reform Paper

1 - Combining the positions of Chairman of the Higher Judicial Council (HJC), the Federal Supreme Court, and the Court of Cassation is prohibited.

2 - Speed up enactment of the Federal Court Law and agree on the names of its members.

3 - Speed up enactment of the judicial authority law in accordance with the Constitution and activate and enhance the work of the Public Prosecutor.

4 - Speed up enactment of the HJC [Higher Judicial Council] law.

5 – Prohibit the work of judges outside HJC formations.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

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## Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 4, Aspect V11: Reform of the Executive Authority  
... 6- The educational and agricultural initiative shall be connected with the competent ministries and any future initiative shall only be adopted by a decision of the Council of Ministers.

National economic plan No specific mention.

Natural resources	Page 1, Aspect Two: Legislations/Laws: 2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority: – Oil and Gas Law
International funds	No specific mention.
Business	No specific mention.
Taxation	Socio-economic reconstruction→Taxation→Reform of taxation Page 1, Aspect Two: Legislations/Laws: 2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority: ... – Federal Revenues Law
Banks	No specific mention.

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## Land, property and environment

Land reform/ rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.

Environment Page 3 Aspect Four: Security Reform Paper  
... 9 - Establish a special emergency agency to be concerned with cases of national disasters and to provide immediate solutions and responses to affected areas.

Water or  
riparian  
rights or  
access  
No specific mention.

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## Security sector

Security Page 1, Aspect Two: Legislations/Laws:  
Guarantees 2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:  
... - Law of Inspectors General

Page 2, Aspect Four: Security Reform Paper  
[Note: clauses from section are coded elsewhere as appropriate.]  
... 5 - Activate the role of the governorate councils in accordance with the Constitution as well as the law of the governorate councils to ensure the implementation of the security decisions of these councils.

Page 3 Aspect Four: Security Reform Paper  
... 7 - Control and protect borders using modern technologies in a manner that ensures border control.  
8 - Deal strictly with illegal border infiltrators.

Page 4, Aspect V11: Reform of the Executive Authority  
... 5- Gradual integration of security institutions that are not prescribed in the Constitution at competent Security Ministries as conditions allow.

Ceasefire No specific mention.

Police	<p>Page 2, Aspect Four: Security Reform Paper</p> <p>1 - Law of the security apparatuses and their powers. Adopt the security apparatuses law which identifies the functioning security apparatuses and specifies the functions and powers of each apparatus to achieve integration and avoid overlapping jurisdictions of the security apparatuses.</p> <p>2 - The need to rehabilitate security apparatuses in a manner that achieves the highest levels of professionalism.</p> <p>3 - Security apparatuses shall be accountable to the CoR (in accordance with the constitutional texts). The necessary laws shall be enacted to impose the strictest legal penalties on parties that prove to be involved in providing intelligence to foreign entities.</p>
Armed forces	<p>Page 1, Aspect Two: Legislations/Laws:</p> <p>2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:</p> <p>... – Law for Organizing Security Apparatus</p> <p>Page 2, Aspect Four: Security Reform Paper</p> <p>1 - Law of the security apparatuses and their powers. Adopt the security apparatuses law which identifies the functioning security apparatuses and specifies the functions and powers of each apparatus to achieve integration and avoid overlapping jurisdictions of the security apparatuses.</p> <p>2 - The need to rehabilitate security apparatuses in a manner that achieves the highest levels of professionalism.</p> <p>3 - Security apparatuses shall be accountable to the CoR (in accordance with the constitutional texts). The necessary laws shall be enacted to impose the strictest legal penalties on parties that prove to be involved in providing intelligence to foreign entities.</p>
DDR	No specific mention.



Intelligence services Page 2, Aspect Four: Security Reform Paper  
... 3 - Security apparatuses shall be accountable to the CoR (in accordance with the constitutional texts). The necessary laws shall be enacted to impose the strictest legal penalties on parties that prove to be involved in providing intelligence to foreign entities.  
... 6 - Establish research centers to benefit from the experience of retirees [from security forces]

Page 3 Aspect Four: Security Reform Paper  
... 10 - Enhance the role and powers of the Iraqi National Intelligence Service and build the capacities of its staff to meet the requirements of maintaining Iraq's national security. Combat espionage; monitor security intelligence activities on Iraqi lands; and enact effective laws in this regard.

Parastatal/  
rebel and  
opposition  
group  
forces No specific mention.

Withdrawal  
of foreign  
forces No specific mention.

Corruption Page 1, Aspect Two: Legislations/Laws:  
2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:  
... - The Integrity Commission Law

Page 2, Aspect Three: The Oversight Role  
... 4 - Adopt a clear and agreed mechanism for summoning and questioning members of the executive authority and not leave this to the interpretations of the Presidency.

Page 4, Aspect V11: Reform of the Executive Authority  
1- Adoption of efficiency and professionalism principle and achievement of constitutional balance in public service in accordance with the Public Service Council Law.

Page 4, Aspect V11: Reform of the Executive Authority  
... 8- Addressing of administrative and financial corruption phenomenon.

Crime/ organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	Page 3, Aspect V: Judicial Reform Paper ... 6 - Review the Anti-Terrorism Law.

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## **Transitional justice**

Transitional justice general	No specific mention.
Amnesty/ pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.

Reconciliation Page 1, Aspect Two: Legislations/Laws:

2. Legislations timeframes: to set a timeframe for the enactment of all constitutionally approved legislations/laws which have not yet been enacted, in coordination with the Parliament, the Legal Committee and other competent parliamentary committees on the one hand and the Presidency of the Council and the political blocs on the other hand in order of precedence and priority:

– National Reconciliation Law

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## Implementation

UN  
signatory No specific mention.

Other  
international  
signatory No specific mention.

Referendum  
for  
agreement No specific mention.

International  
mission/  
force/similar No specific mention.

Enforcement  
mechanism No specific mention.

Related  
cases No specific mention.

Source UN Peacemaker (which cites Unofficial translation by UNAMI language services – published in Arabic in AlSabah Newspaper)

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