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**In the name of God, the Most Merciful, the Most Compassionate
In the Name of the People
Parliament of Kurdistan, Iraq**

In accordance with the provisions of Article (56), paragraph (1) of Law Number (1) of the Year 1992 as amended, and based on what was presented by a quorum of the members of the Parliament of Kurdistan, the Parliament of Kurdistan decided in its ordinary session Number (4) held on 6 April 2011 to enact the following law:

Law () of the Year 2011

The Law of Non-Governmental Organizations in the Iraqi Kurdistan Region

Chapter I: Definitions

Article 1:

The following terms and phrases shall have the meanings assigned to them herein for the purposes of this Law.

First: The Region: The Kurdistan Region of Iraq.

Second: The Organization: The Non-Governmental Organization, a group of natural or legal persons, enjoying legal personality in accordance with the provisions of this law that seeks to achieve not-for-profit objectives.

Third: The Department: The Department of Non-Governmental Organizations in the Region's Council of Ministers.

Fourth: Kurdish Organizations: Organizations registered in the Region in accordance with the provisions of this law.

Fifth: Iraqi Organizations: Organizations registered in accordance with Iraqi Law that carry out work and activities in the Region by virtue of the provisions of the valid laws in the Region.

Sixth: Foreign Organizations: Organizations registered under the law of another State that carry out their work and activities in accordance with the valid laws in the Region.

Seventh: The Network of Organizations: A Non-Governmental Organization registered under the provisions of this law that consists of a number of Organizations and enjoys a legal personality.

Chapter II: General Principles

Article 2:

Establishing organizations is a Constitutional right, and there should not be any obstacles to their establishment beyond the legal requirements specified herein.

Article 3:

Organizations have the right to establish branches inside or outside the Region and Iraq.

Article 4:

First: Two or more registered Organizations have the right to establish a Network among themselves.

Second:

1 – The Network of Organizations seeking to obtain a legal personality shall submit an application for registration in accordance with the provisions of this law and acquire a legal personality which is independent from the legal personality of its founding Organizations.

2 – An unregistered Network is permissible, but does not enjoy legal personality.

3 – Two or more Networks of Organizations may join together. The Network of Organizations may comprise Kurdish or Iraqi or foreign Organizations, and any natural or legal person may become a member of the Network of Organizations.

4 – The registration application and procedures are exempt from fees.

Article 5:

Any person may act on behalf of the Organization or the Network before the

courts and other official and unofficial bodies in accordance with the bylaws of the Organization.

Chapter III: Membership in the Organization

Article 6:

The conditions of membership, age, voting, nomination, and other conditions shall be specified in the bylaws.

Article 7:

First: The members and workers may not participate in making and issuing decisions which might lead to conflict between their personal or career interests and the interest of the Organization.

Second: In case a member or worker in the Organization violates what was stated in the first paragraph above, he/she shall be punished in accordance with valid laws and the bylaws of the Organization.

Chapter IV: Objectives and Rights

Article 8:

The Organization shall seek to achieve its objectives consistent with the principles of democracy and international human rights treaties and conventions, and should act in a transparent and public manner.

Article 9:

The Organization, in accordance with the laws in force and within its area of competence, has the right to:

First: Assess the role of the State institutions.

Second: Have free access to information.

Third: Organize gatherings, meetings, demonstrations, strikes, conferences, workshops, and all other civil activities.

Fourth: Publish reports and information and print publications and opinion polls.

Chapter V: Registering Organizations

Article 10:

Registration Conditions:

First: In order to register Kurdish Organizations, the founding members shall submit an application to the Department responsible for registering and managing the affairs of the Organizations. The number of the founding members shall not be less than three persons, and the application shall be duly signed by all of them, with the bylaws attached thereto. The application shall include the following information:

- 1 – Name of the Organization, its purposes and objectives.
- 2 – Name, title, sex, nationality, age, profession, level of academic achievement, and domicile of the founding members.
- 3 – The Organizational structure of the Organization and the way it conducts its activities.

Second: Iraqi Organizations:

The Iraqi Organizations registered by the federal authorities shall automatically be considered registered in the Region, and shall provide the Department with the following information in both the Kurdish and Arabic language:

- 1 – Name of the Organization and its representative in the region.
- 2 – Address and telephone number of the Organization's headquarters in Iraq.
- 3 – Action plan of the activities the Organization intends to implement in the Region.
- 4 – A certified copy of the Organization's federal registration documents.

Third: Foreign Organizations:

In order to obtain a registration certificate, foreign Organizations shall provide

the Department with the following information in both the Kurdish and Arabic languages:

- 1 – Name of Organization.
- 2 – Address and telephone number of the Organization's headquarters in Iraq.
- 3 – Objectives and activities the Organization intends to achieve in the Region.
- 4 – A certified copy of the Organization's bylaws.
- 5 – A document proving the Organization's registration as an NGO in the country of origin.

Article 11:

Registration Procedures:

First: The Department shall respond to the registration application within (30) days from the date of receipt of the application. Upon submission of the application, the Department shall provide the NGO with a dated receipt, which shall be considered evidence of the date of submission of the application for the purpose of calculating the thirty days period.

Second: In case of non-fulfillment of any legal conditions contained in the application for registration in accordance with this law, the Department shall return the application to the Organization within (15) days from the date of the receipt, for the purpose of completing any missing requirements, and in such case the reply period shall be calculated from the date of the new application.

Third: In case of failure to respond to the application and the lapse of the period mentioned in paragraph (First) of this Article, the Organization shall be considered registered and the Department shall provide the Organization with the registration document upon request.

Fourth: In case the Department rejects the registration application, it shall send to the Organization an official letter justifying its rejection and specifying the reasons on which the Department based its rejection, which may only be failure of the Organization to meet the conditions set out in Articles 8, 10, and 14(First) of this law.

Fifth: The Organization has the right to challenge a rejection decision before the Administrative Tribunal in the Kurdistan Region within (30) days from the date of receiving the rejection decision, and the court shall issue its decision within (15) days.

Sixth: Following the approval of the registration application, or the lapse of the legal period without a reply, the Department shall publish the registration document in the Official Gazette of the Region.

Article 12:

The Organization's Records:

The Organization shall keep the following records, which should be certified by a notary public:

First: A members' register in which shall be recorded the name, address, age, sex, academic history and date of joining the Organization for each member.

Second: A decisions' log which shall include the Board of Directors' decisions and the name of the person representing the Organization in accordance with its statute. The record shall be signed by the Organization's Board of Directors.

Third: An accounting record that keeps track of the revenues and expenses of the Organization.

Fourth: An assets register to record the Organization's movable and immovable assets.

Chapter VI: Organization's Revenues

Article 13:

The Organization may obtain income from:

First: Assistance provided by members of the Organization.

Second: Assistance, donations, gifts and grants from individuals, the private sector and other local and foreign entities.

Third: Any other revenues the Organization gains from investing its funds and proceeds from its activities.

Fourth: The Organization's share of any allocation in the Region's annual budget, and any other grants or assistance provided by the Government in support of the Organizations' projects .

Article 14:

First: All Organizations and Networks must open bank accounts.

Second: Organizations shall manage their funds through an annual budget, in accordance with the accounting system approved in the Region.

Third: Organizations and Networks shall provide the Department with an annual financial report to be audited by the Supreme Audit Bureau in the Region.

Fourth: The Organization's revenues, properties and funds shall be exempted from taxes and customs duties.

Fifth: Organizations financed by the Government shall provide the Department with a detailed report on their projects' implementation.

Chapter VII: Suspension, Dissolution and Merger

Article 15:

The Department shall hold the Organization accountable in case of any violations of the provisions of this law as follows:

First: The Department shall warn the Organization violating the provisions of this law to end the violation within (15) days.

Second: In the case the Organization does not resolve the violation within the period mentioned in paragraph (First), the Department may suspend the work and activities of the Organization for (30) days.

Third: The decisions of the Department are subject to appeal before the Administrative Court within (10) days from the date of the notification of the suspension decision. The Court shall issue its decision within seven days from the date of receiving any contestation.

Article 16:

The Organization or Network can be dissolved voluntarily or compulsorily.

First: In the case of voluntary dissolution, the Organization shall be dissolved in accordance with its bylaws, and shall notify the Department of its decision at least (30) days prior to putting it into effect.

Second: In the case of compulsory dissolution, the Organization shall be dissolved by a decision from a court of first instance and this will be exclusively in the following cases:

1 – A violation by the Organization of the Constitution or the laws enforced in the Region.

2 – Based on a lawsuit filed by the Department, in case the Organization or Network did not remove the violation in accordance to Article (15) herein.

Third: The Organization or Network has the right to appeal a Court's decision of dissolution before the Court of Cassation within a period of (30) days from the date of receipt of the court decision.

Article 17:

First: In the event that a judicial decision to dissolve is issued, the Court shall appoint a liquidator.

Second: The Organization or Network shall provide the liquidator with a record of all its accounts, assets and revenues. The assets shall be used first to settle the Organization's or Network's debts, and the remaining assets shall be transferred to another Organization or Network that has similar goals or objectives to those of the dissolved Organization or Network.

Article 18:

First: Two or more Organizations may merge and form one Organization in accordance with the bylaws of each one of them.

Second: The merging procedures and the establishment of a new Organization are subject to the provisions of this law.

Third: All movable and immovable property of the merged organizations shall devolve to the new Organization.

Chapter VIII: General Provisions

Article 19:

The Regional Government shall allocate funds within the annual budget to assist and support Organizations on the basis of their efficiency, projects, and activities.

Article 20:

The Region's institutions shall take advantage of the efficiency and activities of the Organizations through the implementation of joint projects.

Article 21:

The Organization shall not seek material benefits unless such profits are exclusively used within the framework of achieving its objectives.

Article 22:

All decisions issued by the Organization or the Network are subject to appeal before the Court of First Instance within (15) days from their date of issue based on the request of any concerned person.

Article 23:

Organizations operating in the Region shall adjust their bylaws to match the provisions of this Law within one year from the date of its publication.

Article 24:

The provisions of this Law shall not be applied on trade unions, professional associations, or political parties.

Article 25:

The Law on Kurdish Non-Governmental Organizations (Law (15) of (2001)) and Resolution (297) of (1999) are repealed.

Article 26:

Any legal text or decision contradictory to the provisions of this law shall be repealed.

Article 27:

The activities and authorities of the Department shall be defined by subsequently issued regulations.

Article 28:

The Council of Ministers and any other relevant authorities shall implement the provisions of this law.

Article 29

This law shall be effective from the date of its publication in the Official Gazette.

Rationale for the Passage of this Law

As a result of the Non-Governmental Organizations' influence in the Kurdistan Region on the development of society and democratic and civic life in the Region, and because of the major development experienced by these Organizations, in addition to their prominent role in most of the areas of the life of society, and also for the purpose of regulating the legal framework for these Organizations, and in order to achieve this purpose, and introduce an advanced and modern law appropriate to the democratic and civic culture, this Law was enacted.