The Second "Governorate councils Performance Monitoring" Report

2013

For the period from 1/1/2013 to 1/11/2013

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Introduction

The GCs Observatory (consisting of 21 CSOs[1] in 6 governorates : Baghdad, Babil, Najaf, Wasit, Diyala, Kirkuk) has already issued the first monitoring report((1)) in 2012 through a Conference which had received wide media coverage and was attended by the Secretary General of the Council Ministers Mr. Ali Al-Allaq, members of the Council of Representatives, GCs, deputy Minister of Planning, some directors general, a host of academicians, university professors, and CSOs as well as representatives of UN agencies from (UN-Woman) and (UNDP).

The most significant outputs of the conference were:
1- The Observatory and the Secretary General of the Council of Ministers in his speech confirmed that the GCs performance monitoring report is a pioneering work and the first of its kind in Iraq, as no any governmental or non-governmental has ever launched such a report to monitor the performance of councils with the aim of evaluating the experience of decentralization, improving the performance and delivering of services to the ultimate purpose of winning the satisfaction of the public of the governorates.
2- Paying tribute to the professionalism of the report and the importance of its monitoring indicators, and its distinctive feature of consulting the scientific talents, academicians and university professors in addition to being a bright spot in the march of civil work in Iraq and expressive of a new style of partnerships between the monitoring organizations
3- Highlighting the success stories and the most important challenges and difficulties faced by the partner organizations in the work of the Observatory through a mutual dialogue session between members of GCs and representatives of the Observatory organizations
4- Writing down a number of important recommendations which can be summarized as follows: -

1- Continuing the new process of monitoring GCs for a full term and issuing annual reports about their performance, showing the negative and positive change in the indicators and reflecting a clear and realistic image about the performance of the Councils, and expanding the experience to include monitoring groups from CSOs in other governorates.
2- In order to ensure better performance of the GCs, we recommend an evaluation of the district and sub-district councils which constitute the most important link as it is associated with the needs of citizens. We also recommend expediting the conduct of elections of these councils to breathe life into them so that they can keep pace with the work of the GCs.
3- Activating the participatory role of the public in the provincial decision-making process and devising mechanisms thereof by setting up a committee from the CSOs to support communication between citizens and local administrations (councils and governments).
4- In order to promote transparency and integrity in the work of the GCs work, the oversight and monitoring process must be consolidated by legal procedures including lawsuits.
5- Establishing a mechanism, endorsed in the bylaws, for cooperation and coordination between the GCs and CSOs to overcome obstacles to communication required to enrich and improve the performance and business of the councils in accordance with the powers invested in them by the Constitution.
6- Renewal of the ratification of the memoranda of understanding concluded with the Observatory organizations by the newly elected councils and including a clause stressing the right to information and data for the purposes related to council performance monitoring processes.
7- Providing all of Iraq's GCs with the results of the conference resolutions as this would positively reflect on the prospect of cooperation between the CSOs and the councils in the next stage.

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[1] Partner Organization By Governorate:
Baghdad(Um-alyateem Org,Al Monqith Org For Human Rights, Ibn Sina Inclusive Establishment, Iraqi Center For Human Rights,Iraq Pulse Relief And Development Foundation, Al Warkaa Organization) Babil (Nisaba Center For Studies And Researches, Bent Al-Rafedain Org , Mirror for Media monitoring center) Kirkuk (Kirkuk institute For Human Rights Studies, Kirkuk Forum Our Home For Human Rights, Iraqi Institute For Human Rights) wasit (Organization for Human Rights in Wasit, Inbithaq organization for development and industrial promoting, Iraqi association for protecting environment) najaf (Culture Humanitarian Iraq of Future Organization,Women's cultural & charity center, Al-Shams Independent Org)

Challenges and Variation of the second year of GCs monitoring

The second year of the targeted GCs monitoring showed a significant challenge, that is the provincial elections (held on 20th, April 2013) and the consequential change of councils with GCs sessions disruption for a period of time which the report exhibits later. As a result, the observatory had tore-define mechanisms of introducing its role and mission , present the memorandum of understanding, build relationships with the newly elected GCs and monitor the most important policies that had changed in each council, as well as studying the new structuring and analyzing its impact on the performance of the Council. The new councils ratified the memorandum of understanding signed between the councils and the Observatory organizations. The Observatory also faced some difficulty in obtaining information from Diyala governorate, for several reasons, the most important of which was the continued failure in convening the council, which made it difficult for the representatives of the observatory in the governorate to access information, and this was reflected in the clear deficiency of Diyala Council data compared to other governorates.

The second report on the performance of the GCs focused on analyzing and discussing the various themes in three chapters which are: -
1- Impact of the political reality on the GCs performance
2- Achievements of the GCs
3- Public satisfaction of the GCs performance

The indicators monitored in the report are:
1- Holding of councils sessions
2- Councils' decision-making ability
3- GCs priorities in the field of planning and spending
4- Means of communication and transparency of councils

The committee on writing the backgrounds of the report chapters:
1- Mr. Adil Al-Lami (legal expert and former chairman of the Higher Electoral Commission)- Chapter One
2- Dr. Mahdi Al-Allaq (deputy Minister of Planning and head of the Central Statistics Organization)- Chapter Two
3- Dr. Karim Hamza (academician specialized in sociology)- Chapter Three
4- Um Al-yateem Foundation undertook a comprehensive review of the report, while the observatory's partner organizations had a key role in collecting data which had contributed in identifying the monitoring report indicators.

The Committee of Report Read
1 - Dr. Wafa'a Al-Mahdawy (Researcher & Academic of economy - Mustansiriya University)
2 - Judge Qassim Al-Aboody (Director of the Middle East Center for Legal Studies and Former director of the electoral administration at the Electoral Commission for Elections)
3 - Dr. Kamil Al-Qaeme (Academic & Researcher and Director of the Hammurabi Center for Studies and Research)

Reference will be numbered in the body of the report within double brackets (()) to distinguish it from the other numbers within a single arcs ()

Chapter one

Impact of the political reality on the GCs performance

Impact of the electoral system on the elected GCs structures

Some believe that the results of the provincial elections in 2013, which followed Saint Lego's method of seat distribution, are more positive compared to the results of the previous term due to the expanded volume of political participation in the membership of the current councils, and this would increase and strengthen the opposition powers within the Council thereby improving the performance of the local government. In the previous terms, the majority was for one or two parties entering into a coalition and forming the local government and thus the representative majority in the governorate council remains with these two parties, and this in turn would lead to poor oversight of the governorate council of the governor's and the local government's performance on account of favoritism because of having that majority of members belonging one coalition.

While others argue that Saint Lego's system has produced larger volumes of opposition in the elected local councils, thereby delaying the formation of the council of the governorate. People there would be waiting for the delivery of services and solutions to the crises of daily provision of drinking water and cleaner neighborhoods and paving and tiling the streets, thus leading most of the GCs to exceed the ceiling set by Law of Governorates not Organized into a Region No. 21 of 2008 , as will be discussed hereinafter. Some may not consider this delay in reaching an agreement as a negative phenomenon, but a healthy case resulting from the difference in opinions and programs and will lead to a change which may help to improve the governorate council's performance. Accordingly, amendments can be made to the Governorates Law in order to avoid the time frames violation of articles (7, 20) of the law, which provide for the election of key positions in the local government, as well as the introduction of a legal clause after the said articles of the law stipulating that (the governorate council or local councils shall be considered as dissolved by virtue of the law in the event they exceed the time frames specified for the election of the governor and his deputies, the chairman of the Council and his deputy, provided that the governor determines a date for re-election in the province within a period not exceeding 30 days from the date of dissolving them), thus out lining specific ends to the laws and not loose ends subject to political compromises .

Also, expanding the participation of parties with diverse orientations will lead to curbing the attempts by some *"holding"* parties to perpetuate a firm grasp of the rule of governments that results in rampant negative phenomena such as administrative corruption represented in nepotism, favoritism and partisan loyalty at the expense of efficiency, professionalism and fair entitlement of staff members in addition to curbing financial corruption , poor performance of services, restriction of liberties and others.

Table (1) below shows the impact of Saint Lego's seat distribution system which was used in the 2013 elections on expanding the participation and the nature of the political map of the current GCs covered by the monitoring, compared to the previous map where (17) entities in Baghdad participated in the formation of the governorate council, while the former council was formed by the participation of (7) entities only. The absolute majority relied upon in making decisions and voting on key positions was for only one entity, while Wasit council consisting of (28) members was set up with (10) entities according to St. Lego method, while the number of entities that had made up the previous council of Wasit totaled 5 entities only.

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Table (1) Number and Parties of Governorates Councils under monitoring after 2013 election compared to the previous Councils elected in 2009

coucil	2009 elections Winner parties	No. of seats	2013 elections Winner parties	No. of seats
Baghdad	State of Law Coalition	28	State of Law Coalition	20
	Accordance Front	7	Bloc of United	7
	Ahrar Independent Movement	5	A coalition of citizen	6
	National Iraqya List	5	Ahrar coalition	5
	Iraqi National Project Gathering	4	Coalition of Unified national Iraqya	3
	List of Mehrab martyr	3	Arab Iraqya	3
	National Reform Movement	3	Independent national elites Movement	3
			state of citizenship Block	2
			List of Iraq goodness and donation	1
			Dawa Party inside regulation	1
			Alliance for Iraqi Justice and Democracy	1
			National Partnership Gathering	1
			Free coalition in Iraq	1
			Baghdad Turkmen List	1
			Brotherhood list of the Faili Kurds	1
			A coalition of the Assyrian Chaldean Syriac assembly	1
			The Candidate Raad Jabar Saleh	1
Total		27		28
Babil	State of Law Coalition	8	State of Law Coalition	8
	List of Mehrab martyr	5	A coalition of citizen	7
	Ahrar Independent Movement	3	Independent Iraq Gathering of Competencies	4
	National Reform Movement	3	Ahrar coalition	3
	Iraqi Commission for independent civil society organizations	3	Civil Babylon Alliance	2
	Independent Justice Association	3	Iraq advocates for state support	1
	Iraqya List	3	Coalition of Unified national Iraqya	1
	Ansar Independent block	2	National Iraqi Coalition	1
			Babylon Iraqya	1
			National Partnership Gathering	1
			Al-Ameen coalition	1

coucil	2009 elections Winner parties	No. of seats	2013 elections Winner parties	No. of seats
			Dawa Party inside regulation	1
Total		30		31
Najaf	State of Law Coalition	7	List of Loyalty to Najaf	9
	List of Mehrab martyr	7	A coalition of citizen	6
	Ahrar Independent Movement	6	State of Law Coalition	5
	List of Loyalty to Najaf	4	Ahrar coalition	3
	Reform Movement	3	Fair State Movement	2
	Independent Union of Najaf	1	Dawa Party inside regulation	1
			Najaf province, coalition for change	1
			National Partnership Gathering	1
			Combine Renaissance and construction	1
Total		28		29
Wasit	State of Law Coalition	13	State of Law Coalition	7
	List of Mehrab martyr	6	Citizen Bloc	7
	Ahrar Independent Movement	3	Ahrar Bloc	5
	Iraqya List	3	State of social justice	2
	Iraqi Constitutional Party	3	Combines sincere hands	2
			List of Iraq goodness and donation	1
			Coalition of Unified national Iraqya	1
			Fair State Movement	1
			Civic Democratic Alliance in Wasit	1
			Brotherhood list of the Faili Kurds	1
Total		28		28
Diyala	Iraqi Accordance Front	9	Diyala National Alliance	12
	Iraqi National Project Gathering	6	Iraqya Coalition in Diyala	10
	Kurdistan Alliance	6	List of brotherhood and coexistence	3
	Iraqya National List	3	Coalition of Unified national Iraqya	2
	State of Law Coalition	2	Determined to construction	1
	National Diyala Coalition	2	Diyala's New Coalition	1
	Reform Movement	1		
Total		29		29

Table (1) above has shown that size of change is not only in the number and type of the participating entities, but also in the significant decrease in the number of seats won by the large entities as they have transformed into new other entities that would lead to new coalitions joining the efforts of delivering services to the citizens of the governorates.

First : GCs sessions

Holding the first session of GCs monitored by the Observatory
The Observatory watched the events of the first session of the new councils in the governorates (Baghdad, Babil , Diyala , Najaf, Wasit) (Kirkuk elections have been postponed until an election law is issued specifically for it) and has recorded a number of remarks as listed below :

1 – Law Breaking : - Braking of Article (7 /First) of the Governorates Law No. (21) of 2008 , which stipulates "Election of the Council chairman and his deputy by an absolute majority of the council members at the first meeting of the Council called for by the governor within fifteen days from the date of the ratification of the election results, and the session shall be convened under the chairmanship of the senior member" .The Higher Independent Electoral Commission endorsed the results of the GCs elections on Wednesday corresponding to May 29 , while the date of the first session of the five governorates covered by the monitoring was as follows : -

Council	Date of first session	The difference from the date of approval
Baghdad	6/15	17 days (2 days)
Babil	6/15	17 days (2 days)
Wasit	6/16	18 days (3 days)
Diyala	6/19	19 days (4 days)
Najaf	6/13	15 days (----)
Kirkuk		

The same above article of the law was also broken in the first session of Diyala Governorate, and that led to the post of Vice President of the Council being vacant despite the fact that the article stipulated that both the Council Chairman and his deputy should be elected at the first session exclusively.
While the Governorates law kept silent on actions taken in case of breaking the Article Seven above, the Observatory would like to attract attention to the fact that the laws breaking and exceeding of their timings and parameters is no longer a precedent as the civil society had spotted breach of timings and laws several times, and that runs counter to the rule of law we seek to achieve.

This breach of the timings specified in the law is considered as one proof – among others – that the agreement between the winning blocs was difficult and in some cases, as described below, an agreement was not reached but some sort of predominance and perhaps this is one of the reasons of future disagreements whose consequences of which will be borne by the governorates, like the lack of services because of the slow implementation of service projects and that will be reflected more or less on the performance of the Council and the confidence of the citizen in it.

2–Observatory organizations attending the session: - the positions of GCs monitored by the observatory on the Observatory organizations' attendance of the first session were varied. The Council of Baghdad did not allow the observatory's representative to attend the session as he was denied access into the building by the Council information desk personnel who pointed out that only media individuals are allowed to attend even though the Observatory organizations has a memorandum of understanding that commits the Council to permit them to attend the sessions .One more thing there is a mechanism that should be followed for inviting the Observatory but it was breached in the first session.
As for Najaf GC, it had surprised the monitoring organizations by holding the session abruptly without prior announcement or informing the Observatory organizations in Najaf, which had already signed a memorandum of understanding with the Council that made it something obligatory to have Observatory present of in all its meetings, while observatory managed to attend the first session of Babylon, Diyala, and Wasit GCs.

3- **Session without a quorum**:- the observatory's representative in Diyala monitoring a session held on June 13, attended by 14 members out of 29 members of Diyala Council (48%) , where the President of Diyala Court of Appeal called on the members present to recite the legal oath . The observatory's representative had recorded his reservations about the need to ask the Federal Court on whether it is permissible to recite the oath while the council is inquorate as the session was informal, but the President of the Court of Appeal indicated that his decision was right. It is expected that this measure was aimed to avoid the delay in convening the first session and considering that the (13th) of June is the fifteenth day after the ratification, i.e. the final day. The council has not realized that the first session has been defined in the law as the session in which to elect the council chairman and his deputy with no reference to the recital of oath of office for the council chairman or members, while the law restricted the recital of the oath to the governor and his deputies only in accordance with Article (29).

The Observatory believes that there are a number of practices in the first session which may become impediments to the future work of the council and one of the causes of poor performance, and they are as follows:

1. Electing the integrated package: - Article 7 of the Governorates law stipulates (the governor and his deputies shall be elected by absolute majority of council members in a maximum period of thirty days from the date of the first session).
    This means that the first meeting must be held for the election of the council chairman and his deputy and then in subsequent meetings governor and his two deputies are elected and that there is plenty of time for negotiation and agreement , but the method of the package ready for the vote, which was built on the political agreement and ready deals between the winning blocs were behind missing the opportunity offered by the law for the selection of the executive crew in the governorate with more deliberation and agreement within the council. The observatory confirms the vote with one package in this election saw uncalculated surprises caused by seizing of opportunity and rushing the deals whose consequences will appear later. We hope that the citizens shall not bear repercussions of poor coordination between the committees of the council, which would have its toll on the services and their delayed delivery.
2. Mass withdrawal: - sessions of the councils covered by the monitoring saw the withdrawal collectively of large blocks from the first session for refusing to vote or because they did not agree on the posts and perhaps they believe that their withdrawal would cause prejudice the quorum, and in all cases though they are large blocks, they were unable to achieve the majority required for voting on the key positions in the council.

Table (2) blocs and number of withdrew members

Council	The total number of members	Total members retreating	Withdrawing blocs
Baghdad	58	25	State of Law Coalition and other parties
Babil	31	14	A coalition of citizen, Ahrar Bloc, Coalition of Unified national Iraqya, Iraq my Country, National Partnership Gathering, Babylon Iraqya.
Wasit	28	0	0
Diyala	29	0	0
Najaf	29	11	National Alliance, New coalition of Diyala, Kurdistan Alliance.
Kirkuk			

The Observatory believes that the mass withdrawal is a political stance in the real meaning of the word directed by the political leaders to the members and a wrong message addressed to the electorate as it gave them the impression that they had been abandoned by their representatives in situations where a difficult decision should have been taken on their behalf by their representatives in the governorate and those representatives did not reveal that degree of insistence on their defensive stance in order to achieve better results. This stance also showed poor negotiation which reached a deadlock between the members of the same bloc and between the blocs. The Observatory believes that the presence of the members instead of their withdrawal and their abstention from voting within the session to elect the positions would have positively reflected on the voter and would strengthen the positions of members abstaining from voting and their blocs, and would show the extent of their eagerness to work in the toughest and least harmonized conditions and their ability to have their voice heard.

3. Cross-governorate settlements: - During the first session, Wasit governorate saw a debate among the members which led to no agreement but caused the session to be adjourned until further notice. Contacts were underway, and at exactly 11:30 news were circulated about the settlement of outstanding issues in the governorate of Nasiriyah, with the governor and chairman of the council picked up from the "State of Law" bloc, thus allowing for the sharing of positions in Wasit between the two blocs of "Ahrar" and "Muwatin".The Observatory has observed an expedited bilateral meeting between the two blocs without inviting members of the rest of the blocks to conclude bilateral agreements and collect sufficient numbers to achieve a quorum and vote, and they were joined by 3 members from the small winning blocks. A quorum was achieved with nominations and voting on the positions of Chairman of the council and the Governor. The members of the "State of Law" boycotted the vote and a state of resentment and squabbling occurred among the members who were shouting and exchanging insults and countercharges in a regrettably uncivilized way fully covered by newsmen and satellite channels. The observatory was following up the scene of positions selection in those governorates and emphasizes that the reason of the delay of the first session is the delayed inter-governorate reconciliations without taking into account the specificity of the governorate and the interests of its citizens , which is a violation of the right of the voter , who had hoped to making a difference through his participation in the elections, and which may cause a high percentage of abstention from voting in any elections to come.

Table (3) below shows the nature of the attendance of the members of councils covered by the monitoring in the first session.

Table (3) the presence and absence of the five Councils members in the first session

Council	The number of attendees	The date of Session Set up	Attendees from parties members		Absentees from parties members
Babil	17 out of 31 members (54%)	6/15 5:00 pm	(8) State of Law Coalition (4) Civil Babylon Alliance (2) Dawa Party (1) Iraq Regulation (1) Al-Ameen coalition (1) Iraq advocates for state support		(14) Members representing: (7) A coalition of citizen (3) Ahrar coalition (1) Coalition of Unified national Iraqya (1) Iraq my Country (1) National Partnership Gathering (1) Babylon Iraqya
Baghdad	31 out of 58 members (53%)	6/15 11:00 am	- State of Law Coalition - Bloc of United - Ahrar coalition - Citizen Bloc - Uniform Iraqya - List of Iraq goodness and donation - We all Baghdad - Dawa Party inside regulation		(2) A normal absence member - The withdrawal of members (a coalition of law state)
Wasit	28 attendance at the open meeting, 19 out of 28 members (67%) attendance at the voting session	6/16 10:00 am (open session to 11:30 am) the voting session	(7) Citizen Bloc (5) Al-Ahrar (1) Sincere hands (1) Social Justice State (1) Iraq goodness and donation list	(1) United Iraqi Alliance (1) Fair State Movement (1) Civic Democratic Alliance (1) Faili Kurds block	(7) State of Law Coalition (1) Sincere hands (1) Social Justice State.
Najaf	29	6/13 10:30 am	(7) Loyalty list (6) Citizen Bloc (6) State of Law Coalition (4) Ahrar coalition (2) Fair State Movement	(1) Reform Movement (1) Building and Jihad bloc (1) Change bloc (1) Dawa Party inside regulation	none
Diyala	18 out of 29 members	6/19 pm	(10) Iraqiya List (2) Iraqya Diyala (1) Determined to construction (2) Kurdistan Alliance (3) Sadr Movement		(9) National Alliance - representing the Sadrist movement (1) New coalition of Diyala (1) Kurdistan Alliance

Table (4) below shows the nature of the alliances that led to the vote on key the positions in the councils, and it is worth mentioning that there are more than one governorate where the bloc winning the largest number of seats failed to obtain any of the key positions due to the formation of new alliances and the failure of those blocks in the obtaining enough votes to gain their entitlement of the positions and this is represented in the Councils of the governorates of Baghdad and Diyala , for example, as the large slates which lost the key positions are still objecting to the results ,and those councils have not yet been conducting their regular business, as well as their objections before the Federal Court and the approval of the court in Diyala to reconvene the first session , including the re- election and voting on the key positions.

Table (4) Approval positions in the first session

Council	Positions	Lists
Babil	Raad Hamza Alwan - Chairman of the GC	Independent Iraq Gathering of Competencies
	Aqil Jabbar Hamza - Vice Chairman of GC	Civil Babylon Alliance
	Sadiq Madlool Mohammed - governor of Babylon	State of Law Coalition
	Wissam Nassar Saud - First Deputy of Babylon Governor	From out of the winner GC members
	Qasim Zamili - Second Vice governor of Babylon	
Baghdad	Riad AlAdhadh – Chairman of GC	Bloc of United
	Shaima Jaffar - Vice Chairman of GC	List of Iraq goodness and donation
	Ali Mohsen al -Tamimi - Governor of Baghdad	Ahrar Bloc
	Jassem Mohan - First Deputy Governor of Baghdad	Citizen Bloc
	Karim Khalaf Hussein - an administrative vice governor of Baghdad	Arab Iraqya
wasit	Mazen Kndouh , Musawi - Chairman of GC	Ahrar Bloc
	Turki Khalaf - Vice Chairman of GC	Sincere hands
	Muhammad Abdalarza Talal - governor of Wasit	Citizen Bloc
	Adel Hamidi - Deputy governor of Wasit	Sadr Movement
	The second deputy governor of Wasit was left empty	
Najaf	Adnan Zurfi - Governor of Najaf	Loyalty list
	Abbas Alaleaoa – First Vice Governor	State of Law Coalition
	Talal Bilal - Second Vice Governor	Building and Jihad bloc
	Khudair al-Jubouri - Chairman of Najaf GC	Fair State Movement
	Luay al-Yassiri - Deputy Chairman of GC	State of Law Coalition
Diyala	Mohamed Jawad Jermt, - Chairman of Diyala GC	Sadr Movement
	Omar Humairi - governor of Diyala	Iraqiya List
	Abdul Karim Zangana - Deputy Governor	Kurdistan Alliance
	Positions (vice-chairman and the Second Governor Deputy left empty)	

The influence of the vote event on the conducting the council sessions

The Observatory monitored the performance of GCs in the period that preceded and followed the provincial elections in order to determine the effect of the vote event on the council convening , where the Council of Ministers set in its ordinary session number (47) dated October 30, 2012 the date of the GCs elections as the twentieth of April 2013.Article 21-Second of the law of the *Governorates not Organized into a Region* (21) for the year 2008 has indicated that the work of the Council continues and (the work of the Council ends upon convening the first session of the newly elected council). However, neither the law nor any other document indicated that the council will conduct its business as a caretaker council until the assumption of authority by the of the newly elected council, and this means that councils will remain to operate at full powers to make way for the local government to continue to provide services and administer the governorate without causing any shortcomings in doing that because of the transfer of powers between the current and new councils. The table below shows the history of the councils that ceased to be before the elections and meetings of the newly elected councils targeted for monitoring in the five governorates (Kirkuk governorate has not voted yet) after the election and the time period during which the council brought its business to a total halt in each governorate

Table (5) Date of stop and hold GC's Sessions prior and post elections

Council	Date of previous GC Sessions stop	Date of new GC Session start	The stop period of GC sessions
Baghdad	2013/4/15	2013/6/15	60 days
Babil	2013/4/12	2013/6/15	63 days
Wasit	2013/4/10	2013/6/16	66 days
Najaf	2013/4/11	2013/6/13	62 days
Diyala	2013/2/12	2013/6/19	131 days

The table shows that the previous councils disrupted its meetings during the period nearing the election date and had not resumed their work after the elections, thus creating a vacuum. That period the events taking place are considered to be significant events for the evaluation of the performance of the previous and current councils and indication of poor performance during the stages of the transfer of power between the elected councils, despite the clarity of those stages in the Constitution and the Governorates Law with the councils of (Baghdad, Babil, Najaf, Wasit) being dysfunctional for about two months .Perhaps some people would argue that the lesson is not in the holding of session, but in the on-site presence of a council member to follow up and monitor the governorate's completion of the construction projects. The council has important roles in the ratification of the governorate budget and the reconstruction projects plan and if the council is not in session, the completion of such tasks will be disrupted , especially the failure to convene the councils was not a pre-considered decision , but the result of lack of commitment by members and weak oversight and accountability of the council, thereby leading a number of councils not to vote on the governorate budget as is the case with Baghdad Governorate Council (for example) , which failed to vote on 2013 budget in its session dated (April 18, 2013) due to the absence of 27 members who were busy conducting their election campaigns and 6 other members who were on sick leave, thus disrupting the quorum and holding back the convening of the voting session. The Babil Council considered its session as open from the 12th of April described above and approved the budget in its open session dated 24th of April, i.e four days after the vote. Everybody knows that an open session ensures that a quorum is achieved on the date of it was first held a quorum can by disrupted during the continuation of the session , noting that acting upon the open session is not referred to in the Governorate Law or in the GCs bylaws , and that the overall events that accompanied the council elections this year require reconsidering the amendments of the bylaws taking into consideration the development of appropriate guidelines in such a way that would not prejudice the work of the Council and the sustainability of service delivery in the governorates.

Number of sessions and absences of members

The meetings of councils that have been monitored were influenced by awaited change on the twentieth of April and the council members started to get ready to ensure seats in the next council as early as 2013, so it was important to monitor the commitment of the council to convene the meetings as approved in the bylaws, which are expected to be in the number shown in the table below in the specified period of this report, which is (11) months.

Table (6) number of total GC's Sessions expected and the planned by the rules of procedure

Council	The monthly identified sessions Specified in the rules of procedure	Total expected number of Sessions
Baghdad	4(-)	44
Babil	4	44
Najaf	8	88
Diyala	4	44
Kirkuk	4	44
Wasit	8	88

As for the number of actual meetings at the monitoring period, the six councils seemed to have failed in achieving the planned number of sessions where the real number of the councils sessions for that period totaled (22, 23, 13, 8, 18, 17) for Baghdad, Babil, Wasit, Diyala,Najaf, Kirkuk, respectively, and this confirms that the political events impact the performance of the council and its commitment. The event of elections and the political movement before and after the election were the direct cause of the preoccupation of the Council and the disruption of its meetings, and what confirms this view is that in spite of the difficulty of bringing the council together to hold its meetings, those meetings also show member absences which ranged between (7% - 15.2%), Table (7).

Table (7) number of GC sessions and member attendance rates

council	The number of monthly sessions	Average of monthly absences
Baghdad	The second term of GC	
	January (3 sessions)	%29.2
	February (3 sessions)	%24
	March (1 sessions)	%17.5
	April (2 sessions)	%24.5
	The second term of GC (9 sessions)	%23.8
	The third term of GC	
	June (1 sessions)	%3.4
	July (4 sessions)	%5.1
	August (4 sessions)	%11.6
	September (2 sessions)	%13.7
	October (2 sessions)	%13.7
	The third term of GC (13sessions)	%9.5
	Total number of sessions = (22 sessions)	%15.8
Babil	The second term of GC	
	January (2 sessions)	%9.9
	February (3 sessions)	%12.1
	March (3 sessions)	%8.8
	April (1 sessions)	%13.3
	The second term of GC (9 sessions)	%11.02
	The third term of GC	
	June (2 sessions)	%25.7
	July (4 sessions)	%3.2
	August (4 sessions)	%4.8
	September (3 sessions)	%8.5
	October (1 sessions)	%9.6
	The third term of GC (14 sessions)	%10.3

council	The number of monthly sessions	Average of monthly absences
	sessions)	
	Total number of sessions =(23 sessions)	%10.6
Wasit	The second term of GC	
	January (3 sessions)	%5.9
	February (2 sessions)	0
	March (2 sessions)	0
	April (1 sessions)	%10.7
	The second term of GC (8 sessions)	%1.4
	The third term of GC	
	June (1 sessions)	0
	July (1 sessions)	%17.8
	August (1 sessions)	%14.2
	September (1 sessions)	%7.1
	October (1 sessions)	%10.7
	The third term of GC (5 sessions)	%9.9
Diyala	Total number of sessions =(13 sessions)	%7.3
	The second term of GC	
	January (5 sessions)	0
	February (1 sessions)	0
	The second term of GC (6 sessions)	0
	The third term of GC	
	June (1 sessions)	%37.9
	August (1 sessions)	%65.5
	The third term of GC (2 sessions)	%51.7

council	The number of monthly sessions	Average of monthly absences
	Total number of sessions =(8 sessions)	%25.8
Najaf	The second term of GC	
	January (2 sessions)	%12.4
	February (1 sessions)	%7.1
	March (1 sessions)	%14.2
	April (1 sessions)	0
	The second term of GC (5 sessions)	%8.4
	The third term of GC	
	June (4 sessions)	%8.5
	July (5 sessions)	%13.7
	August (2 sessions)	%12
	September (2 sessions)	%8.5
	The third term of GC (13 sessions)	%10.6
	Total number of sessions =(18 sessions)	%9.5
Kirkuk	The first term of GC	
	January (3 sessions)	%2.4
	February (1 sessions)	Closed session
	March (2 sessions)	0
	May (1 session)	0
	June (4 sessions)	%3
	July (3 sessions)	%4
	August (2 sessions)	%25
	September (1 sessions)	%21.9
	Total number of sessions =(17 sessions)	%7

Members and GCs membership

After the distribution of key positions in the newly-elected councils, the second step to complete the structure of these councils is the distribution of members to council committees, including the distribution of chairmanships of these committees. Every council member has occupied a seat for membership in more than one committee, and the member has shared the chairmanship, deputyship and membership of the committees so that each member received the chairmanship of a Committee in each of the governorates of Babil, Kirkuk, Wasit and Diyala. As for Najaf, the committee chairmanships have been distributed to the lists, according to the electoral entitlement and no committee was designated to any member from the "The State of Law".

On the other hand, Baghdad Governorate Council obligated inits first session the members of three committees and not just one committee, but the chairmanships were distributed to the constituent entities of the council for the inability to distribute them to members (because the number of committees is less than the number of Council members).The number of committee members in the six governorates ranges between (2-5) members for each committee. This presentation shows the size of the responsibilities undertaken by the council members, and just like the Council of Representatives, there has been hot competition for certain committees, such as committees of appointments and delegations in Baghdad Governorate Council despite the fact that the two committees' mission is not related to power of appointment or distribution of delegations and the same is true to the committees of the other governorates,(Table -8).

Table (8) the names and parties of presidencies and membership of GC Committees

Council	Member Name	Political party	Committee
Babil	Ahmed Adnan Shahid Jaber,	State of Law Coalition	Municipal Services / Center
	Sadiq Rasool Hassoun		Human Rights
	Sadiq Mohammed Jassim		
	Hassan Shaker Auda Hussein		Energy
	Falah Abdul Karim Radhi		Security center and south of Babylon
	Zaid Jawad Hassan Salem		
	Zeinab Ismail Attya Hassan		Women
	Ahlam Rashid Hamza Obeid		Legal
	Mohammed Ali Hussein Ali	A coalition of citizen	Reconstruction / center
	Alaiwee Farhan Radi Jassim		Culture and Tourism
	Asaad Menem Abdul Kadhum		south Hilla / municipal services
	Hassan Fadaam A al Hussein		Integrity
	Riad Aday Abboud Tamim		Displacement and Migration
	Suhaila Abbas Hamza Hussein		Agriculture
	Khetam David Gulab Abdolreza		Education
	Mansour Hussein Abbas	Independent Iraq Gathering of Competencies	Districts/ services
	Mahdi Aakul Hassan Th waini		districts and areas/ Reconstruction
	Raad Hamza Alwan Abboud,		
	Fawzia Mohsen Kazem		Planning
	Asaad Abdel Herab Hussein	Ahrar coalition	Finance
	Haider Jaber Ali		Follow-up
	Heba Mohsen Issa Omran		Health
	Aqil Jabbar Hamza Saleh	Civil Babylon Alliance	
	Salam Kitab Rebat Saluma		Hilla south /municipal services
	Haidar Abdel Karim Rashid Ali	Coalition of Unified national Iraqya	Investment
	Zuhair Abbas Aday,	Iraq my Country	Electricity
	Thamer Zeban, Hassoun	Dawa Party inside regulation	Security North Babylon
	Rflae Radi Abdul Karim	National Partnership Gathering	Water Resources
	Ekab Hadi Khudair	Babylon Iraqya	Youth and Sports
	Hamza Obeid Moses	Al-Ameen coalition	General Services Center
	Iman Mohammed Ali	Iraq advocates for state support	Environment

Council	Member Name	Political party	Committee
Diyala	Muthana Ali Mahdi Ahmed	Iraq my Country	
	Muhammad Mahdi Karim Hadi Saleh		
	Qasim Auda Jawad Waheed		
	Sadiq Jafar Abdullah Mohammed		
	Uday Adnan Ibrahim Ismail ,		
	Ahmed Mazloum Rzooky Ismail		
	Khadr Muslim Abdul Abba		
	Mohammed Jawad Kadhim		
	Issam Shaker Mezher Abboud		
	Hana Kazim Hussein		
	Samira Abdul Karim Star		
	Zeena Aziz Alwan Mahdi		
	Mohammed Aziz Hussein Salman	Iraqya Diyala	
	Omar Maan Saleh Khalaf		
	Darwish Ammar Muzahim Amer		
	Ahmed Yas in Hamad Hassan		
	Hakki Ismail Ibrahim Jassim		
	Ali Zaid Al Manhal		
	Amer Salman Aekob		
	Najat Khalaf Hussein		
	Asma'a Hamid Kmbash		
	Eman Abdel Wahab Mahmoud		
	Zahir Taher Khalil Hassan	List of brotherhood and coexistence	
	Karim Ali Mohammed Ali		
	Amel Imran rare Ghaidan		
	Medhat Abdul Khaliq Malik	Coalition of Unified national Iraqya	
	Safaa Jar Allah Khudair		
	Abdul Karim Abdullah Najim	Determined to construction	
	Enas Qasim Ali Aboud	Diyala's New Coalition	

Council	Member Name	Political party	Committee
Kirkuk	Nasreen Khalid Abdul Wahab	Kirkuk mutaakhya list	Services and Social affairs , Employment Committee
	Almas Fadel Agha	Kirkuk mutaakhya list	Public Relations Committee , Youth and Sports
	Laila Mohammed Khader	Kirkuk mutaakhya list	Human Rights and Women& Children 's Affairs
	Ssuytln Asitivan Joseph	Kirkuk mutaakhya list	Economy and Finance , Public Relations Committee , Youth and Sports
	Silvana Buya Nasser	Kirkuk mutaakhya list	Education and Higher Education, Human Rights and Women & Children 's Affairs
	Burhan Mezher Orontes	Iraqi republican gathering	Services and Social affairs , Agriculture and Employment
	Hala Noureddine	Iraqi republican gathering	Energy and Industry, the Legal Committee
	Abdullah Sami Assi	Iraqi republican gathering	Security and Public Safety, Integrity Commission
	Mohammed Khalil Nassif	Iraqi republican gathering	Commission of Article (140) , Public Relations Committee , Youth and Sports
	Mohammed Khader Garb	Iraqi republican gathering	Education and Higher Education , Employment Commission
	Ramlah Hamid Ahmed	Iraqi republican gathering	Project Strategy planning and investment, Economy and Finance , Human Rights of Women &Children 's Affairs
	Ali Mahdi Sadiq	Iraq turkman front	Security and Public Safety, Services and Social affairs
	Tahseen Muhammad Ali	Iraq turkman front	Commission of Article (140) , Legal Committee
	Qasim Hamza Ahmed	Iraq turkman front	Project Strategy planning and investment
	Raad Rushdie Agah	Iraq turkman front	Economy and Finance , Public Relations Committee , Youth and Sports
	Majeed Azza Juma'a	Iraq turkman front	Education and Higher Education
	Kolin Ahmed Rashid	Iraq turkman front	Human Rights and Women & Children 's Affairs , Agriculture and Irrigation
	Torkan Shukor Ayub	Iraq turkman front	Employment Committee
	Najat Hussein Hassan	Iraq turkman front	Energy and Industry, Integrity Committee

Council	Member Name	Political party	Committee
Kirkuk	Hassan Turan Bahaa El Din	Iraq turkman front	
	Edward Oraha Odisho		
	Rebwar Faek Abdul Majeed	Kirkuk mutaakhya list	
	Mohamed Kamal Saleh	Kirkuk mutaakhya list	Security and Public Safety commission
	Ahmed Abdullah Ridha	Kirkuk mutaakhya list	Project Strategy planning and investment Commission, Security and Public Safety Commission
	Mahmoud Mohammed Majid	Kirkuk mutaakhya list	Integrity Committee , the Legal Committee
	Ali Namik Rashid	Kirkuk mutaakhya list	Energy and Industry Committee , the Integrity Committee
	Jamal Nwolod Batar	Kirkuk mutaakhya list	Project Strategy planning and investment Commission, Energy and Industry, Economy and Finance Committee
	Azad Saber	Kirkuk mutaakhya list	Services and Social affairs , Agriculture and Irrigation
	Owade Mohammad Amin	Kirkuk mutaakhya list	Commission of Article (140) , the Legal Committee
	Shirzad Adel Khurshid	Kirkuk mutaakhya list	Commission of Article (140), Services and Social affairs
	Ibrahim Khalil Rasheed	Kirkuk mutaakhya list	Economy and Finance
	Dilshad Beirut Aziz	Kirkuk mutaakhya list	Project Strategy planning and investment
	Babacar Siddeeq Ahmed	Kirkuk mutaakhya list	Legal Committee
	Fuad Hussein	Kirkuk mutaakhya list	Energy and Industry
	Riaz Mohammad Danok	Kirkuk mutaakhya list	Integrity Committee , Agriculture and Irrigation
	Jawad al-Jassim Mohammed	Kirkuk mutaakhya list	Committee of Education and Higher Education , Agriculture and Irrigation
	Irfan Jamal Tawfiq	Kirkuk mutaakhya list	Security and Public Safety
	Sahira Saifuddin	Kirkuk mutaakhya list	Public Relations Committee , Youth and Sports
	Brewin Mohammad Amin	Kirkuk mutaakhya list	Committee of Education and Higher Education
	Glauich Abdul-Jabbar	Kirkuk mutaakhya list	Commission Article (140) , Employment Commission
	Joan Hassan Aref	Kirkuk mutaakhya list	Human Rights and Women & Children 's Affairs , Employment

Council	Member Name	Political party	Committee
Baghdad	Saad issued Hamdan		
	Nizar Thamer Hatem Sultan		
	Jassim Mohan Abdal Khmat,		
	Huda Jalil Mohsen Badr		
	Fatima Mohsen Sayed Ali		
	Fadel Hussein Saleh Radi	Ahrar coalition	
	Ghalib Abbas Musa Abbas		
	Ahmed Juda Bleih Abdoul		
	Majid Ali Tohma		
	Iman Abdul Razak Hassan Mansour		
	Sabah Abdul Rasul Abdul Redha	Coalition of Unified national Iraqya	
	Ali Thamer Jassim		
	Falah Mahmoud Ahmed Jamil		
	Thaer Abdul Amir Jassem Al-Attiya	Independent national elites Movement	
	Ali Khudair Hejwel		
	Jsoomah Rahim Zughayyar		
	Karim Khalaf Mohammed Hussein	Arab Iraqya	
	Abbas Mehdi Saleh		
	Gruob Sabri Abbas		
	Ali Ali Mohamed	state of citizenship Block	
	Kamel Saeed Obaid Hamad		
	Raad Hatem Shakheer	National Partnership Gathering	
	Naem Hatoo Ahmad	Dawa Party inside regulation	
	Farhan Kassim Zalan	Alliance for Iraqi Justice and Democracy	
	Ali Ahmad Faraj	Free coalition in Iraq	

Council	Member Name	Political party	Committee
Baghdad	Salah Salem Abdul Razak Hamid	State of Law Coalition	
	Kamel Nasser Al-Saadoun Sober		
	Mue'en Hamid Abdul Majid al-Kazimi		
	Adel Matar Fiji Sahet,		
	Saad Abdul-Jabbar Youssef		
	Mohammed Jassim Al-Hamoud Fayyad		
	Sadiq Aneed Haddaoa		
	Atouan Sayed Hassan Thamer		
	Riad Mohsen Salman Hassan		
	Hassoun Kazem Mohsen Ali		
	Taha Hatef Mohi Mohamed		
	Ali Kamel Abdel Kadhim		
	Ali Jaafar Ali Hussein		
	Said Jawad Kadhim Awad,		
	Tagreed Saleh Abdul Hadi		
	Mahdia Abdul Hassan Shani		
	Wejdan Sageer Sakgy Abdullah		
	Nahida Ali Hassoun Mohammed		
	Nawal Sadeq Taqi Mahdi		
	Zeena Saleh Abbas		
	Riad Nasser Abdul Razak Mohammed	Bloc of United	
	Aisha Ghazal Mehdi Amadan		
	Hegel Ali Hamad Shabib		
	Shaalan Mohammad Amin Sohail		
	Mushtaq Talib Hussain		
	Adnan Jamil Mahmoud Hamid		
	Daha'a Abdul Aziz Mohammed Hamid		
	Ali Jassim Mohammed Khalifa	A coalition of citizen	

Woman representation in the new GCs

Among the significant gains of women in Iraq is the allocation of 25% of GC seats for women in the GCs elections law. Although the Constitution established quota of women in the seats of the Council of Representatives only , the satisfaction of the efforts made by women in positions they occupy contributed to the allocation of the same percentage of GC seats in the hope of circulating this satisfaction in other posts, and this percentage has been achieved in all the councils of governorates covered by the monitoring , but upon observing the distribution of the five key positions in the local governments of the six governorates, it was noticed that women did not get any position except position of (the GC vice-chairman) which was given to Mrs. Shaima Jaffer from the " Plentifulness and Offering" Bloc mass in Baghdad.

As for committee chairwomanship, women have won the committee chairmanship of the Council , but the chairmanship distribution process was as member of the Baghdad GC (Dr. Sabah Tamimi) put it "was really distributed in accordance with quotas"((3))without taking into account the efficiency, previous experience or willingness. In Kirkuk women only (5)won the committee chairmanship of (Integrity, Legal , Education , Article 140 , human rights and women and children) in the Council from among 12 women making up 29 % of the number of Kirkuk GC members. In Babil GC, which consists of 31 members, 7 women won committees chairmanships in addition to their membership in other committees, as is the case with Wasit GC, while Baghdad GC refused to provide the observatory with information on committee membership and chairmanship and also has not offered to post such information on the Council web site. In the former GCs, no prominent member from women appeared in the stances or performance but we expect the emergence of some of women in the current session of the councils through which we have monitored of their electoral campaigns and media appearances and what they have won of the committee chairmanship in their respective councils.

GC member questionnaire

The Observatory distributed a questionnaire with a number of questions to the GCs members to know the newly elected councilors who will shoulder significant burdens to serve the governorate in terms of capacity and committee membership and their selection of such committees and other things. The questionnaire forms were distributed inside the Council meeting, but were not filled out by all the members. The table shows the number of forms that have been filled and it was established that there is a discrepancy in the capacity of various council members .While there were 35% of members who already had access to training and rehabilitation courses in Baghdad, this percentage was78% in Babylon, 61% in Wasit, and 37% in Najaf.

The results of the questionnaire indicated that the varying numbers of members have been placed in committees unsatisfactory to them either because of quotas or other reasons and this reflects to a large extent on their performance and dedication to get their jobs done. The members assessed the performance of the previous councils and it is clear that the majority of them were satisfied with the performance of these councils, except for Baghdad Council members (47%, 95%, 61%, 81%) in Baghdad, Babil, Wasit, and Najaf, respectively. The members were asked to give their opinion about the cancellation of GC members' pensions. The percentages of their positive answers were high reaching (57%, 100%, 88%, and 68%) in Baghdad, Babil, Wasit, and Najaf, respectively (Table -9).

Table (9) the Questionnaire results of the targeted GC's members

Council	Members elected for the first time	Members hold a training workshops	Membership in GC Committees	Members received the desired committee	Members agree the previous GC performance	Members agree to cancel pensions for GC members
Baghdad(40form)	29	14	39	13	19	23
Babil (23 form)	20`	18	18	18	22	23
Wasit (8 form)	11	11	18	7	11	16
Diyala						
Najaf (16 form)	13	6	16	6	13	11

Chapter two

GCs achievements

projects plan after discussing their priorities as well as the governorate's budget and the approved allocations for the various sectors with a focus on sectors that provide services to the masses of the governorate.

Second :The councils' decision-making ability

The table below (10)shows average agenda items of council meetings and the rate of items completed in each governorate. It does not seem to the hasty browser that this indicator is of importance, as Kirkuk governorate cannot be measured (an average two items on the agenda) against Wasit (12 items on the agenda). In fact this indicator may show the extent of experience of the council in determining the items on its agenda and how far can it achieve such items, so placing 12 items and achieving only three of them would be meaningless, and therefore if the number of items on the agenda is approximate to the average items achieved, then this would indicate that the council does understand its issues and optimally utilizes time and development in the management of the sessions so that more can be achieved and committed.

Table (10) Average and approval items of GC agenda

Council	The average number of agenda items	The average number of approval items
Baghdad	9	(%67) 6
Kirkuk	2	(%100) 2
Najaf	7	(%71) 5
Babil	9	(%78) 7
Diyala		
Wasit	12	(%25) 3

The observatory also monitored the proportion of decisions accomplished by the councils especially those decisions relating to services which are in the interest of the governorate and its citizens during 2013, which coincided with the election of new councils and the disruption of council meetings for a period no less than two months as indicated in table (11).

Table (11) the number of (*) decisions taken and (%) of service decisions

Council	Number decision taken	Service Decisions (%)
Baghdad	110	%23 (25)
Kirkuk	25	%48 (12)
Babil	86	%41 (35)
Najaf	57	%40 (23)
Diyala	5	%20 (1)
Wasit	307	%19 (58)

For the purposes of this report decisions (*) mean the issues that were on the agenda and the discussion of which was accomplished with the Council coming out with an agreed result either by voting or by agreement or other mechanisms set forth in the bylaws which have been referred to in the first report of the Observatory ((1)).

Table (11) shows the contrast of governorates in the preparation of the decisions taken. Wasit GC has completed the largest number of decisions (307), while Diyala GC is still the lowest in the achievements which did not exceed five decisions. Baghdad GC made a progress in terms of decisions achieved (105) compared to that figure in 2012, but what is striking is the low achievement of Kirkuk GC (25) though its business was not disrupted because of elections not being conducted in the governorate. In all cases, the percentage of service-related decisions waslow in all the councils, despite the importance of the services file and its big challenges this year where there were58 out of 307 decisions in Wasit Council with a percentage not exceeding19%. In Baghdad, there are 105 decisions out of which only 23 decisions related to service.

In order to shed light on the meetings of the councils, we refer to the most prominent landmarks in each governorate. Wasit Council meetings were characterized by the multitude of marginal decisions taken in one session. For example,

there was a reference to the halt to financial aid from the Wasit Support Fund and until after the elections, as stated in session (252) on 19 Feb.2013, but session (254) dated 12/03/2013 included decisions on the disbursement of a large number of remunerations for workers, media persons, employees of the engineering effort and other staff of the Governorate as well as decisions that include allocation of funds for purposes that cannot be described as service purposes, while the services were covered by a single decisions which was the pavement of internal streets, noting that the council was busy considering many details which are unworthy to be submitted to the council, rather they were supposed to be referred to the competent committees for consideration , decision-taking, bearing responsibility and submit a final report after the committee members vote and send their approval to the council which would in turn endorse it. So, it is unreasonable that the council session discusses sponsoring patients' treatment as per their applications in names, as what is the role of the health Committee then?.

As a comparison between two sessions, one of the previous Babil Council, (Session 12) dated26th of March 2013 resulted in endorsing (8) decisions one of which is a service decision related to the delivery of electricity to the village of students and the informal settlements, and the second of the new Council (Session of 14) on 8 /10 / 2013 , which adopted 10 decisions 6 of which were related to services , with a discussion of Public Participation Act , which deals with the involvement of the public in the decision-making process. (All minutes of meetings can be accessed by following the link((5))).One of the most important decisions of the new Baghdad Council in the first session is the formation of a special committee to reconsider the Council's bylaws. The Observatory believes the decision is one of the fruits of the recommendations of the first monitoring report, which analyzed the bylaws and its defects and recommended the need to standardize them.

As for the legislator ability of councils covered by monitoring, table (12) below shows the weak capacity of these councils in 2013 to legislate local laws that would contribute to facilitating some of the governorate's affairs as the three provinces (Kirkuk, Diyala, Wasit) are still unable to draft local law while the governorates (Baghdad, Babil, Najaf) embarked on or discussed 1-2 draft laws at a rate as low as half what they accomplished in the past year, possibly due to the elections event that disrupted the council meetings for a while and their slow performance as early as and as late as the start and end of the two councils' business.

Through a follow-up of the sessions, the Observatory concluded that some councils did not prioritize legislation for example Wasit GC , which approved the 307 decisions which included not a single local one , although the governorate is a border governorate through which goods coming from neighboring countries enters into its territory by land .It was expected that the Council meetings will be rich with proposals that would bring in new revenues for the governorate, but it is noted that the agenda of session (248) comprising 14 items submitted for discussing amendments to two laws(The Care of Talented Persons in Wasit Governorate, No. (5)of 2011, and the Private Medical Clinics Law No. (7) of 2011) has not been discussed and has been postponed to be placed again on the agenda of sessions (249,250,252,253,254) with no interest shown by the previous council until it finished its work without discussing any proposed law.

As for Kirkuk GC, the sessions are nothing but a review of the activities of the council committees and the minutes of the previous minutes with the inclusion of one new item, indicating that the meetings of the Council with the items the average of which did not exceed (3) items did not absorb the magnitude of the challenges in Kirkuk. Accordingly, the legislation of laws has not been prioritized by the Kirkuk Council too. As for Baghdad GC, it has ratified the Law of Public Participation that has been put forward for the first time in 2012 for discussion with the rest of the governorates following the example of Baghdad, where Babil Council discussed the law and read it twice while the Wasit Council discussed mechanisms for public participation and approved them and established the first forum for people's dialogue in the district of Al Azizya in order to discuss priorities of the public in the governorate's2014plan.Baghdad Council also discussed the legislation of a special law for the owners of private generators and this is an initiative which can be followed by the rest of the governorates, especially regulating this business by a law has become necessary. Najaf Council discussed approaching the prime ministry for the enactment of the women social security law, and despite that social security is one of the State's public policies regulated by a federal law, but the Governorate's vision which targets women arises from the high numbers of women without a breadwinner and the critical economic conditions.

Table (12) bills debated or voted on by councils

Council	Proposed laws	Join discussion or voting on it
Baghdad	Law of public participation approval	9/7/2013
	Proposed law of "civil generators owners" discussion	30/9/2013
Kirkuk		
Babil	Second discussion of Public Participation law	8/10/2013
Najaf	Proposed law "Women social security" discussion	22/9/2013
Diyala		
Wasit		

Third : GCs' priorities in the field of planning and spending

The Observatory seeks to present and analyze the councils' priorities in the reconstruction projects plan and in the distribution of budget allocations to the sectors, especially the service sectors, including what is based on the powers granted to them in the Governorates Law No. (21) of 2008. In this context it is noteworthy to mention that the Council of Representatives voted on the second amendment to the law((4)) which grants to the provinces wider powers the most important of which is increasing the chapter of the governorate's fiscal revenues by adding new 3 items which are:

Fixing the petrodollars allocations and raise the ceiling from one dollar to five dollars for a barrel of crude or refined oil, or 150 cubic meters of gas, half revenues of border revenues, and rents of lands utilized by the investing companies as well as tax returns, which will be imposed on those companies in compensation for environmental pollution and damage to the governorate's infrastructure. The amendment also features many of the paragraphs that give law legislated by the GCs a priority over the law of the center in case of a dispute in accordance with the provisions of Article 115 of the Constitution (Amendment of Article 2 of the Act),as well as giving the GC's decision a priority in case of disagreement with the federal ministries concerned with formulating the policies or approving the priorities of the governorate (amending Article 7 –Fourth- of the Act). These powers claimed by the governorates are in conflict with what is stated in the National Development Plan report for the years 2013-2017 through the evaluation of what the plan had achieved over the past years five years, of high total allocations of Regions and Governorates Development program from (2568319) million Dinars in 2009 to (3,265,644.3) millions in 2010 and to (6,534,790.6) millions in 2011 , compared to low efficiency of the governorates financial implementation from (92%) in 2009 to 67 percent in 2010 and to (56.6 %) in 2011, indicating a decline in the development efforts and the inability of the governorates to translate their objectives set out in the program .There is an evident variation in the rates of implementation of the program in some governorates. While the program indicates high rates of implementation in the Kurdistan region and some central and southern governorates, there is a decline in the rates of implementation in other provinces due to security concerns, poorer capacities and capabilities of the executive authorities there((2)). We exhibit below a comparison between the allocated revenues for the six governorates covered by the monitoring through the (2012 and 2013) budget and what has been disbursed from those amounts on the reconstruction projects and provision of services for the governorate.

Table (13) Governorates Total allocations (*) of the 2012 budget and % disbursed allocations of Regions and Governorates Development Program(RGDP)

Council	Allocation of RGDP	Allocation of PetroDollars	Total allocations	Expense (%) of RGDP
Baghdad	1366628,318	39955,5	1406583,818	%61,6
Babil	333927,281		333927,281	%55,4
Wasit	222618,188	3182,4	225800,588	%71,1
Diyala	265905,057	936	266841,057	%24,7
Kirkuk	247353,542	351000	598353,542	%88,1
Najaf	241169,703	5382	246551,703	%77,2
Expense rate				%63

Table (14) Total Governorates allocations from 2013 budget and (%) disbursed from RGDP allocations until 08/31/2013

Council	Allocation of RGDP	Allocation of PetroDollars	Total allocations	Expense (%) of RGDP
Baghdad	1603576,000	36822,247	1640398,247	%71,2
Babil	391824,000		391824,000	%3,8
Wasit	261216,000	17585,738	278801,738	%44,7
Diyala	312008,000	4877,192	316885,192	%10,2
Kirkuk	290240,000	239816,433	530056,433	%83,1
Najaf	282984,000	11304,919	294288,919	%56,1
Expense rate				%44,85

(*) All allocations in million dinars, which represent what has been specified in the schedules of the budget for the program of Development of the Regions without modification or additions from the previous years

This shows the size of the disparity between the governorates in terms of spending what has been appropriated as well as the difference between the two years, although schedule (14) specified the disbursement until the end of August of this year and it is certain that a major improvement will take place in the size of the expenditures by the end of the year and maybe we will get a rate approximate to 2012with an approximate disparity between the governorates. Diyala is expected to continue to decline in its ability to achieve, due to continuing differences between the entities that have formed the Council and the local government .On the other hand, we expect great strides in the completion rate by the Babil governorate by the end of the year, and the slow execution and poor achievement shown in Table (14) are caused probably by the delay in approving the budget and disbursement of governorate allocations as well as the impact of the elections event and delayed formation the Council of Babil and its government and handover to the new Council within a period of not less than two months (table – 5). However, the expected ultimate proportions which did not exceed 63% of the completion is not proportionate with the size of the powers granted and the revenues received by the governorate after the implementation of the amendments to the Law. One may probably wonder" Why the amendments focused on increasing the amount of resources and decision-making away from the Center , while the Constitution ensures coordination and consultation to give the fledgling experience of decentralization a safe passage towards the development of the governorates and compensate them for a harsh span of neglect ? Is the problem of declining services and weak completion of projects in the governorates is caused by lack of financial allocations or lack of powers?? .

As we review below the priorities and trends in spending on the various chapters of services in the six governorates that are still suffering from deficiencies in various respects, table (15) shows the number of projects in the plan of the governorates covered by the monitoring and the percentage of service projects there in. The Observatory classified the service projects by sector in to projects of(water, electricity, roads and bridges ,municipalities ,sewage, housing, health, education) and what is out of this group is referred to as(Other) projects.

Table (15) Services Priority in 2013 annual plan for Governorates covered by monitoring

Council / Services Priority	Baghdad	(%) from total allocations & projects		Wasit	(%) from total allocations & projects		Kirkuk	(%) from total allocations & projects		Babil	(%) from total allocations & projects		Najaf	(%) from total allocations & projects		Diyala	(%) from total projects
		(%) from total projects	(%) from total allocations (%)		(%) from total projects	(%) from total allocations (%)		(%) from total projects	(%) from total allocations (%)		(%) from total projects	(%) from total allocations (%)		(%) from total projects	(%) from total allocations (%)		
Education	68 / 94,378,441,210	3.1	10	3 / 15,500	5.5	7	99 / 43,199,000,000	8.1	24	13 / 56,035,000,000	7.1	7	41 / 20,125,502,000	7	12	22	%19,6
Water	81 / 480,075,144,090	16	12				42 / 26,710,064,684	5	10	12 / 33,900,000,000	4.3	6	33 / 25,006,100,000	8	9	10	%8,9
Electricity	25 / 141,581,467,850	4.7	4	6 / 23,058,630	8.2	14	49 / 150,895,433,253	28.4	12	16 / 46,500,000,000	5.9	8.5	42 / 40,509,399,000	14	12	16	%14,2
Roads & bridges	253 / 213,644,601,200	7.1	38				46 / 70,965,636,162	13.3	11				41 / 30,995,000,000	10	12	36	%32,1
Health	21 / 49,232,773,400	1.6	3	7 / 8,481,090	3	16	12 / 5,380,000,000	1	3	17 / 41,341,000,000	5.2	9	14 / 16,467,599,000	6	4		
Municipalities	24 / 24,980,092,000	0.8		17 / 165,714,020	59.4	39	60 / 123,111,207,883	23.2	14	79 / 389,150,000,000	49.6	42	42 / 59,915,644,000	20	12	17	%15,1
sewerage & sanitation	23 / 496,776,135,880	16.6					13 / 7,650,155,955	1.4	3	12 / 33,471,355,869	4.2	6	14 / 43,600,000,000	15	4	10	%8,9
Housing	15 / 530,903,221,600	17.7		5 / 29,000	10.4	11							2 / 11,000,000,000	4	0.5		
Others	146 / 953,019,996,355	31.9		5 / 37,048	13.2	11	87 / 92,194,935,063	17.3	21	38 / 183,707,000,000	23.4	20	116 / 46,669,675,000	16	34	1	%0
Total Projects	656			43			408			187			345			112	
Total allocations	2,984,591,873,585 trillion			278,801,738 Billion			530,056,433,000 Billion			784,104,355,869 Billion			294,288,919,000 Billion				

Baghdad Council approved the 2013 plan (656) projects (except for direct implementation projects , which amounted to 318 projects).The roads and bridges sector occupied majority of the total number of projects (38.5 %), while the GC allocated the highest percentages of the governorate 's budget for the housing sector (17.7 %) ,and sewage and sanitation (16.6 %), while priority was given to projects of municipalities in the governorates of Wasit (39%) and (59%) and Babil (42%) and (49%) in terms of the number of projects and the percentage of allocations , respectively. As for Diyala, priority in its plan was given to roads and bridges projects (32 %), and electricity projects is at the forefront in the governorate of Kirkuk plan in terms of the proportion of allocations (28 %), while priority in the governorate of Najaf was distributed over four sectors (Municipalities , education , electricity , roads &bridges)which get very close amounts of allocations.

In this context, it is worth noting that the six provinces, except for Baghdad, avoided taking priority in spending on the completion of sewage and sanitation projects, while these governorates already suffered a major crisis in winter last of year because of the heavy rainfall. In addition, there is a large proportion of areas in those governorates have not been yet included in the sewer network service, thus they are exposed to environmental pollution and the spread of diseases and insects and odors in the neighborhoods and homes , and the sanitation projects have not been completed in a number of neighborhoods of those governorates. The reason for this is that these projects are infrastructure projects that are not visible and require a big budget that may exhaust the Regional Development budget per governorate and therefore the Executive Officer will not be able to carry out more of other service projects, while the governorates referred the quick completion to pave the internal streets and coat the pavements in addition to the cleanliness projects which though they are important they cannot be considered as significant infrastructure projects which must be completed first and then the streets and pavements can be paved and coated.

It is known that planning the priorities in the governorate is done under the supervision of the Ministry of Planning, where these plans are subject to modification in case they do not conform to the National Development Plan or they overlap with it. Accordingly, the weak cooperation and coordination was the cause of repeated amendments to the governorate plans and indicates weak capacity of the governorates in the planning and preparation of feasibility studies for regional development projects.

Chapter Three

Public satisfaction
of the GC performance

Can the public satisfaction change within one year?

The use of time as a benchmark for the calendar depends on several indicators, although the time is one in all the governorates (which is 24 hours a day, seven days a week) but it is in the end ,a concept of a cultural dimension that leads to an evident variation in behaviors representing or moving within its scope. And therefore its calendar and dealing with it is expected to be different between rural and urban areas, and between the educated and uneducated ...etc.

We can say in general that the Iraqi personality rarely deals with time from an economic angle and calculates accordingly the value of the units of jobs done in a particular work. When it is said that the concept of time is not separated from the concept of place , this would introduce new variables , for example, the properties of space and facilities available for time in it as a movement , and from this angle we can consider the level of security available or achieved in a certain governorate as a another variable. This is true to the case for the homogeneity of the political elite, and their executive expertise and the type of projects assigned to them. In general, one year is not enough to change the convictions of people because the Iraqi time should be measured in terms of reality which is beset with much of the influencing factors the first of which is the security situation and disagreements of political partners and the extent of the difficulty and complexity of the problems or projects they endeavor to deal with.

the second poll of the community((6))of the six governorates covered by the monitoring for 2013 and after the elapse of one year since the first survey, shows that 56% of respondents are dissatisfied with the performance of their respective GCs, while people's full satisfaction of the performance did not exceed7% of the sample. The rate of satisfaction of the GCs varied when this question was answered (Are you satisfied with the performance of the GC?).The highest percentage of dissatisfaction was in Wasit (83%), while the highest rate of satisfaction was in Kirkuk though very low (13%) only, while the remaining satisfaction percentages ranged between (somewhat and "I do not know") and we have focused in (Fig -1) on the full satisfaction and complete rejection.

The respondents attribute dissatisfaction, as indicated by the results of the poll, to three basic factors which are the deterioration of services (50% of the sample) , corruption and bribery (49% of the sample) and the deterioration of the security situation (36% of the sample).The highest percentage of non- satisfaction has emerged because of the deterioration of services, corruption and bribery in Wasit (76%, 72 %), respectively, while the dissatisfaction because of the deteriorating security situation was the highest percentage in the community of Kirkuk governorate (47%). Diyala showed the lowest of dissatisfaction percentage because of deterioration of services, corruption and bribery (33 % and 40 %, respectively) while Najaf showed lowest percentages of dissatisfaction because of the deteriorating security situation , and it seems clear that the views of the governorates public are influenced by the political situation of the governorate or the current events there whether the repeated deterioration of the security situation as in Kirkuk or bad services also in Wasit and the people's suffering from the over-flooding of neighborhoods and the loss of crops due to heavy rainfall last winter.

Fig (1) People satisfaction in the six Governorates covered by monitoring
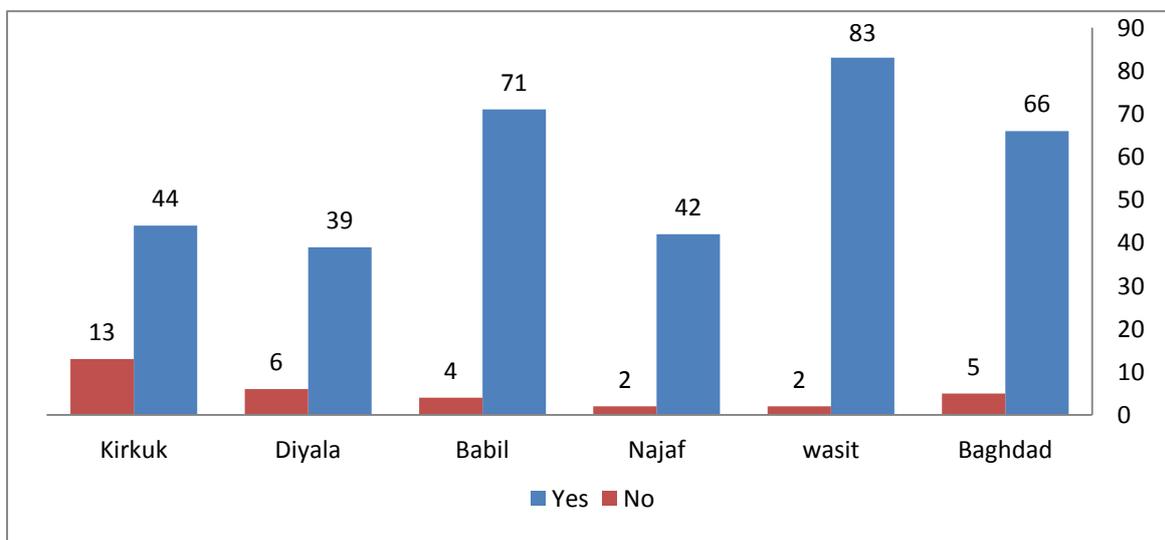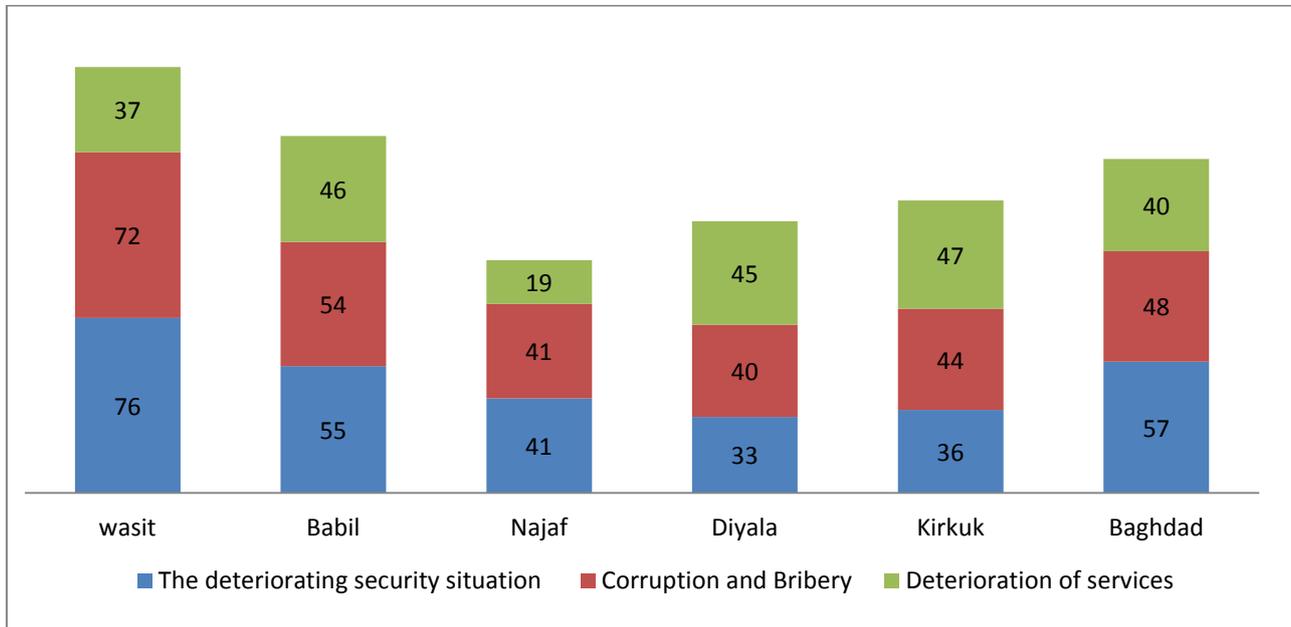
Fig (2)Reasons of people dissatisfaction in the governorates covered by monitoring

Legend: ■ The deteriorating security situation ■ Corruption and Bribery ■ Deterioration of services

Fourth : Means of communications and council transparency

The Observatory watched the improvement in the means of communication with the public of the governorates as one of the transparency mechanisms. The table below shows the extent of change and development in the means of communication for the governorates covered by the monitoring one year after being monitored by the Observatory organizations

It is indicated that there has been no significant change to the means of communication in the six GCs, but we can indicate some improvement in the communication of some of them, for example the Baghdad GC has activated its website, as well as creating a Facebook page for social networking, and it is also issuing a bulletin to publish decisions under the name of (The Baghdadi Waqa'a) but it is not available to citizens while the CSOs, the media or the researcher can request having its issues by an official letter. The Council is also issuing the "Baghdaduna" newspaper which publish news and activities of the Council and the local government of Baghdad as a soft copy and hard copy on the council's website.

Table (16) means of GC's contact with citizens

Council	Means of Media		Complaints Box		electronic site		GC Sessions Attendance		Organize public meetings	
	Planned in GC rules of procedure	Actual	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual
Baghdad	Article (m (63) 12) draft Journal	None (2012), Baghdad Journal in 2013	None	Exist	Article (m (63) VIII)	Inactivated/2012 Activated/2013	Article (m 3)	Media and CSOs only	None	A specific day to meet with citizens
Kirkuk	None	None	None	Exist	None	Exist (inactivated)	Article(73) non-citizens	Media and CSOs only	None	activated
Wasit	Article(m (42) 8) (Journal)	Journal	None	Exist	None	Exist (activated)	M (48) in the public sessions	Media and CSOs only	None	activated
Babil	M (36) draft Journal	None	None	Exist	None	Exist Inactivated /2012 Activated /2013	None	Media and CSOs only	None	activated
Diyala	None	TV channel	None	Exist	None	Exist Inactivated /2012 Activated/2013	Article f (7) m (35)	Media and CSOs only	None	inactivated
Najaf	M (40/ 9) Najaf Journal	Najaf Journal	None	Exist	None	Exist (activated)	M (16) in the public sessions	Media and CSOs only	None	activated

The Council discussed in session (11) on 30thSep.2013 buying a satellite channel for the Council and this proposal is expected to be probably the most interactive means of communication as it will screen daily programs for direct contact with officials in the Council which may not be provided directly through the talk shows). As for Diyala GC,it has already activated the Web site and created some important gateways and this website is expected to become more sophisticated in the coming period. Babil Council activated its website which provides a lot of important information that will be addressed herein later.

some imagine that the best ways to communicate with the achievements of councils and evaluate its performance as well as accessing information is the websites of the GCs, through which the citizen seeks to get whatever is issued by the Council like the decisions taken at its official sessions. The website provides full information about the reconstruction projects plan and the governorate budget endorsed by the council, and that is what all the websites have missed to publish or they have published them as headlines without activation or information. The table below shows the presentation of these websites and the information they provide to the citizen, researcher, observer and media as an indicator of transparency of the Council.

Table (17) websites and means of social communication for the GCs covered by monitoring

Council	Main contents of sites and level of activity	Effective social networking
	GC committees – Active (the name of the committee and its members) GC President page - inactive(the same page news activities) Complaints System - active	
Kirkuk	Biography of GC President - active Biography of Vice President - active Council members - active GC committees - active About the Council - active Council Affairs: - inactive • Council resolutions • Periodic meetings • Press Releases • districts councils Kirkuk affairs: - inactive • Monitoring news • Research and Studies • Press reports Tours and visits - inactive Social networking - active	Facebook
Diyala	News and activities of GC President - active Council members - inactive Resolutions and statements - active GC sessions - active GC committees - active Citizens Affairs (citizen complaints) - active Visits - active Social networking – active	Facebook

Council	Main contents of sites and level of activity	Effective social networking
Baghdad	Presidency of the Council - (CV –inactivated), (Chairman of GC News – Active). Complaints System - Active GCs Committees-(Activities of each body and the Commission - Active) newspaper - Active Decisions and recommendations - inactive social media - active	Facebook
Najaf	Council data - active Decisions and recommendations - inactive Official journal- inactive Council meetings - inactive News and Events - active social media - inactive	Facebook for some GCs Committees
Wasit	Rules of procedure - active Council News - active Five-Year Plan - active Committees of the Council - (Committee and the Chairman & deputy of Committees - active) Complaints System - active Council members - active Local councils (the name of the Council - active) Council newspaper - active social media - active Draft laws - inactive Council decisions - active	Facebook
Babil	News Activities - active Reconstruction News - active Political news - inactive(means the same page news activities) Miscellaneous News- active social media - active Council members – active (Name and position)	Facebook And Twitter

The browser of those websites concludes initially that the headlines are not indicative of the content in most of the websites , for example Baghdad Council website which displays the headline (bodies and committees of councils), the browser expects he will get the names of these committees and their jurisdictions and continuous update of their activities and events during a single year , as well as their meetings, decisions, names of their chairmen and members and means of contacting the commission or committee , but in fact this headline provides nothing but a description of the functions and terms of reference of the committee that is similar to , or slightly more than what exists in the Council's bylaws , and this represents a clear lack of transparency of the Council and its provision of information . However, the website provided a system to make a complaint through a form bearing a number and a date and this may help in the following up the requests, official letters and urgent issues. The Council has also an effective Facebook page but does not communicate well with the public and does not answer their comments. The Observatory has tried to communicate through this page but did not get a response unlike the Facebook page of Baghdad Mayoralty which conducts dialogues with citizens and receive their complaints.

The website of Najaf and Kirkuk councils lack a lot of information and categories. While the categories of Najaf website are not activated except for news and activities of the Council , which is continuous updated, Kirkuk website has four main pages (main, Council Affairs, Kirkuk affairs, and important affairs) but has activated the "main" page only which features the structure of the Council, the chairmanship, the members and chairmen and names of committees and this is not expected of the Kirkuk council which has been operating since 2005.Babil and Wasit Councils websites are characterized by containing activated pages and information about committees ,their business, members and bylaws, but still the Council meetings, decisions, instructions, laws, plan and budget remain available. As for Wasit council, its featuring of the governorate's five-year plan is unreliable as the plan has yet to be approved by the Ministry of Finance and cannot be relied upon in the assessment of the Council's annual priorities and orientations to the best interest of the governorate and the size of the allocations approved and how they are distributed. We have already pointed to Diyala Council website which is yet to be built and we expect it to develop in the coming period.

In brief, the councils daring attitude to communicate with the citizens, dialogue with him and answer his questions and accept his opinion and proposals are all that in favor of those councils to show better performance and not to highlight the mistakes and flaws, and therefore the concerted efforts of the councils with the organizations, the media and citizens in general are a healthy recipe for a transparent and sustainable relationship with the public

Recommendations:

Based on the foregoing and to complement the recommendations of the first report, the Observatory recommends the following: -

1 - developing parameters and mechanisms that ensure the sustainability of service delivery and completion of projects in the governorates in the period before and after the provincial elections and preventing the informal disruption of councils business as happened in the last election , by adding themeither to amendments to the bylaws or the Governorates law.

2 - The Ministry of Planning in coordination and consultation with the governorates determines priorities ofthe projects plan annually before the budget preparation and disbursement of its funds depending on the governorate's needs and the nature of its projects carried out in previous years , to ensure completing the infrastructure and embarking on reconstruction projects towards development and optimization of resources in the governorates.

3- We emphasize what is contained in the of the National Development Plan report (2013-2017) to work on the completion of a system to follow up and monitor the plan.All the governorates will be invited as early as November to attend workshops on the application of the system of following up and monitoring thegovernorates' goals contained in the plan. The governorates must take advantage of the opportunity ofjoint dialogue about follow-up of the implementation of the plan and identifying the constraints and problems in order to work together (governorates and relevant ministries) to overcome them.

4- The means of effective mass communication is still unavailable in the councils so as to ensure the provision of information that enables the citizen to perform his role in accountability as he has already undertaken his role in the vote for candidates in the elections and got them to their positions. Accordingly, the observatory recommends activating the means of communicating directly with citizens as well as the means of access of information through advertising and publishing reports and data in the council's websites or media outlets (satellite channel, radio, newspapers).

5- We repeat our recommendation to reconsider the council bylaws and seek to unify them, and despite the fact that the Council of Baghdad has started setting up a committee to re-examine the bylaw, we emphasize that this should not be done in isolation from other councils and this mission might be one of the priorities of the Supreme Commission for Inter-Governorate Coordination that has been proposed in the second amendment to the Governorates Law.

6- In order to promote transparency and to achieve community participation in decision-making, we recommend the involvement of the monitoring observatories and CSOs, regulatory and invite them to discuss some of the sensitive decisions or proposed mechanisms for their implementation especially with regard to the transfer of powers from the central ministries to the governorates (such as ration card, of social security network, health and education services etc.) and request their cooperation through the implementation of polls on the agreed decisions before taking them on account of the importance of developing the performance.

7- We recommend activating Article 2 –Second- of the Governorates Law, which stipulates the oversight of the Council of Representatives of the GCs performance by observing the planning of the council for the priorities of the governorates and its endorsement of the financial allocations for the various sectors and the supervisory role of the councils over the implementation of the Regional Development projects and to issue periodic reports to be submitted at the public sessions of Council of Representatives and hold the chairmen of councils accountable and question them as regards the poor use of the powers granted to the council by law.

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