

Project Summary Report on Democratic Governance Decentralization and Local Governance in Iraq

October 2022

Prepared by:

Wassim Harb

PHD - Professor of Law

Table of Content

Topic	Page
A. Introduction	3
B. Project Objectives	3
C. Project Beneficiaries	4
D. Project Outputs and Activities	5
E. Project Deliverables	14
F. Constraints and Mitigation Strategy	14
G. Proposed Reforms	16
H. Conclusions	18
I. Recommendations	19

A- INTRODUCTION

Within the framework of the Local Development project in Iraq (LADP III) that is being implemented by the United Nations Development Programme (UNDP), an international consultant has been engaged to support the Iraqi key stakeholders, mainly the Ministry of Planning, the High Commission for Coordination between Provinces (HCCP), deconcentrated ministries and their directorates, governorates and Planning and Development Coordination Commissions(DCPCs) to improve the decentralization process and strengthen the subnational governments to be capable of providing services at the local level based on a clear vision and on a participatory approach. The consultant shall analyze the current situation and shall suggest a capacity building plan for provinces aiming at effective local governance.

The consultancy was designed to carry out a series of activities for the purpose of supporting decentralization in Iraq. The consultancy’s activities consisted of identifying and assessing the current perceptions of the Iraqi stakeholders, their readiness for and expectations for decentralization; assessing the status of the decentralization legislations including the conflicts, contradictions and gaps; and proposing a map for reform orientation for an effective decentralized system in Iraq.

The above activities were defined by the United Nations Development Programme (UNDP) in coordination with the Iraqi stakeholders, with the aim of supporting the Iraqi government and sub-government to overcome various challenges that impede the implementation of the decentralization process in Iraq. Some of the major obstacles are the problematic relationship between the center and periphery, the jurisdictional conflicts between the federal administration and provincial councils and the capacity of provinces to deliver services and thus, to restore public confidence.

In this regard, the consultant has implemented the aforementioned activities using a methodological approach based on desk research and surveys to targeted stakeholders, as well as coordination with the UNDP office in Baghdad and the National Expert in Iraq, which envisaged a vision for a “Plan for Reform Orientation” for the future of decentralization in Iraq.

For this intent, a Final Comprehensive Report is produced to wrap-up all the completed activities, the stakeholders involved and the next steps required to keeping up the momentum.

B- PROJECT OBJECTIVES

The objective of the Project was to assess the current decentralization and local governance system in Iraq and suggesting the required actions to make it effective.

The specific objectives of this assignment were twofold:

First, support the Ministry of Planning (MoP), HCCP and other relevant governmental actors at the central and sub-national levels to assess the current institutional arrangements and processes of decentralization in Iraq, and to suggest concrete actions that support the devolution of state power without undermining its territorial integrity. The suggestions are the main input for consultations that will be led by the Ministry of Planning, in coordination with the Prime Minister’s Office, to set out a roadmap for the High Commission for Coordination between Provinces (HCCP) and other selected relevant actors. The HCCP is a committee under the chairmanship of the Prime Minister, with Ministers and Governors as members; and

Second, support selected Governorates to manage the local government system and to coordinate effectively with the federal administration and with each other to ensure the delivery of public services within their geographic scope. To fulfill this objective, the managerial dysfunctions and legal gaps will be identified, the competences required to enhance their capacities to provide public services at the local level will be emphasized and a relevant action plan will be presented, taking into consideration the role of the Development Coordination and Planning Councils (DCPC) in provinces. These councils that have an advisory function, vis a vis the provincial councils were established in many provinces as of 2017, but are partially operational. They encompass all the directorates of the deconcentrated ministries, civil society representatives, the Governor, academia and businesses. These Councils shall form the entry point of interventions. They pursue inter-ministerial working group at the local level to enhance horizontal and vertical coordination, bottom-up civil society involvement and accountability check, networking between authorities, businesses, academia and civil society aiming at consensus building.

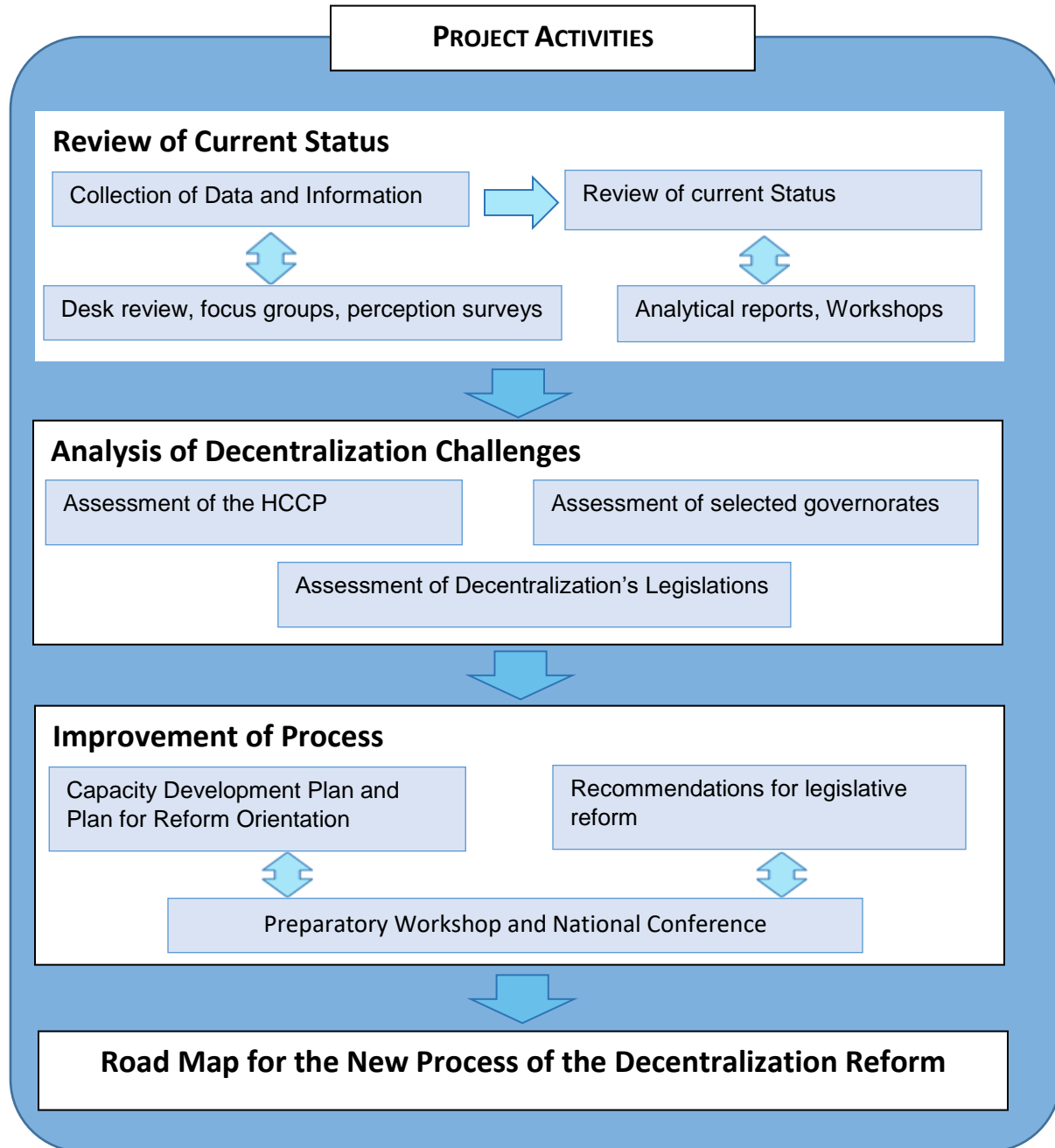
C- PROJECT BENEFICIARIES

The project targeted the stakeholders of the system of decentralization in Iraq such as, but not limited to:

- Ministry of Planning;
- High Commission for Coordination between Provinces (HCCP);
- Development Coordination and Planning Councils (DCPC)
- Provincial Councils;
- Selected governorates (Missan, Zi-Qar; Basra; Al Anbar)
- Deconcentrated ministries.

D- PROJECT OUTPUTS AND ACTIVITIES

Based on the TOR of this mission, the consultant has undertaken a variety of tasks and submitted the following deliverables:



1- Inception Report:

The Inception Report included, inter alia, a Work Plan that specifies every activity with timelines and responsibilities, identified the project implementation methodology and included a monitoring and evaluation mechanism.

The Inception Report was based on the TOR of the mission, and it considered the project context and environment with their reflections on the decentralization system.

During the inception phase, the international consultant has developed lists of questions to collect relevant information during the assessment phase. They were focused on the prerogatives, capacities and level of autonomy of the Governorates, the financial powers at the regional level, the gap between the law and practice, the conflict between the federal and regional levels of government and the role of the Federal Supreme Court, the coordination mechanisms between the center and the periphery and between the Governorates, the recent parliamentary decision to suspend the provincial councils and the consequences of such decision, the government decision to revoke the transfer of the educational and health units to the regions, the pace and existence of asymmetric decentralization in Iraq, the role of the HCCP and its capacity and relationships with the Governorates.

Three different lists of questions have been developed, in this regard:

- 1- List of questions to the High Commission for Coordination between Provinces comprised of 13 questions including the administrative structure of the HCCP, its responsibilities, the mechanism used to monitor the progressive transfer of departments, human resources, and jobs to the governorates, etc. (Refer to Appendix 5 of Contract Deliverable 2 - The assessment report of the HCCP and Governorates not incorporated into a region)
- 2- List of Questions about Governorates (Provinces) consisted of 12 questions divided into several sub-questions related to Governorates’ competencies, financial prerogatives, the mechanisms of transferring money, the level of coordination between the federal administration and Governorates, development policies and citizen participation, etc. (Refer to Appendix 6 of Contract Deliverable 2 - The assessment report of the HCCP and Governorates not incorporated into a region)
- 3- Questionnaire on Decentralization in Iraq addressed to Professors, Lawyers and Public Administrator, to measure the impact of implementing the decentralization system in Iraq, the mechanisms for its implementation, the extent to which citizens know the rules of decentralization, and whether decentralization contribute in improving the public services delivery and administrative transactions.

2- A Field visit to Iraq

In order to complete the Assessment Report on HCCP and the Governorates, a **visit to Iraq** was conducted by the international consultant while the Inception Report was being drafted. Long and intensive meetings were held with different stakeholders. The meetings were useful and more contacts will be established following the visit for further assessment and diagnosis of the functional and dysfunctional aspects of decentralization in Iraq. The discussions centered around the strengths and weaknesses of the HCCP, the role of the Ministry of Planning and the database that has been built about decentralization, the extent to which the Governorates are exercising their jurisdictional authorities and their capacity to apply their prerogatives, the extent to which provinces are complying with the decisions of the HCCP, the level of horizontal coordination between Governorates in accordance with the HCCP directives and the level of vertical coordination between the center and the periphery.

A preparatory meeting was held with the UNDP- LADP Programme Manager to define the purpose of this visit and with the local expert to organize the work plan and methodology of collecting the required information and the methodology of implementation of the required tasks according to his TOR. Based on the above meetings, the following preliminary remarks have been concluded:

1. Iraq has been facing enormous political challenges exacerbated by a severe economic crisis;
2. In-depth discussions about decentralization have been held with the General Director of Regional and Local Development of the Ministry of Planning and the Governor of Missan. Discussions were mainly focused on the relationship and coordination mechanisms between the various players of decentralization in Iraq (MoP, HCCP and governorates), the competence and powers of local administrations, and their needs for development reforms on multiple levels. Many points will be further explored and elaborated. The minutes of meetings will be recorded;
3. The knowledge and practice of decentralization are not at the same level in all Governorates. Decentralization in the Governorate of Thi-Qar, for example, is not fully understood and practiced. The aforementioned Governorate is more reserved with regard to the prerogatives delegated to the Governorates according to the system of decentralization in Iraq.
4. There are serious concerns that decentralization in Iraq will lead to the partition of the country. Many officials and people are worried about the integrity of the nation;
5. The experience of Iraq with decentralization has not been thoroughly assessed. There is no comprehensive strategic plan in place that is supported with a capacity building plan that are ready for implementation;
6. There is confusion in the understanding and implementation of decentralization. The process was applied by some ministries to a certain extent, while it was provoked in some ministries (education and health).
7. The parliamentary decision to dissolve the governorate councils was a setback to the decentralization process. The governors became more in charge within their

governorates awaiting the new regional elections. Decentralization is an evolutionary process that will be monitored to explore the future prospect.

3- **Stocktaking**

The stocktaking process of the decentralization data has used a combination of desk and field research and meetings with stakeholders

3.1- The desk research included a considerable number of reports and documents. Studies and reports published by international organizations and research institutes have been collected and reviewed (UNDP, USAID, OECD, other German and Canadian research agencies, etc.), as well as national reports and studies. (Refer to Appendix 1- List of useful references of Deliverable 2 of the project).

The consultant has also conducted desk research to collect legal information relating to the decentralization topic in its various aspects. The number of the collected information is:

- 134 international references including reports, guidelines, handbook, training manual, etc. related to the various topics of Decentralization (Refer to the List of Useful References - Appendix 3 of Contract Deliverable 2 - The assessment report of the HCCP and Governorates not incorporated into a region; and Appendix 1 of Contract Deliverable 3- Analytical Report on Perceptions)
- 105 legal texts (laws, by-laws, regulations, circulars) related to Decentralization system in Iraq; (Refer to the List of National Legislations – Appendix 1 of Deliverable 4.1- Analytical Report on the Status of Decentralization Legislations and Regulations);
- 22 Court decisions before the Iraqi Federal Supreme court related to decentralization disputes; (Refer to the List of Feral Supreme Court Decisions– Annex 2 of Deliverable 4.1- Analytical Report on the Status of Decentralization Legislations and Regulations);
- 43 Arabic doctrinal references related to decentralization in Iraq (Refer to the List of Doctrinal References – Annex 3 of Deliverable 4.1- Analytical Report on the Status of Decentralization Legislations and Regulations);

3.2- Field Research The consultant has visited the governorates of Missan, Zi-Qar, Dyala and Basra via the national consultant, to collect their official gazettes and their regulations. It is noteworthy to mention the difficulty in collecting the Official Gazette from different provinces due to several reasons, mainly the damages caused by fire and acts of sabotage, etc. Some governorates do not have complete volumes or collections of their official gazette.

3.3- Meetings with Governors and provincial council members have been conducted in October 2019, via the National consultant, to discuss the successes and failures of the decentralization process since the Law 21 of 2008 was issued, the extent to which prerogatives and responsibilities are well distributed between the government tiers, their capacity to fulfill their duties in compliance with the law and by-laws, the coordination mechanisms between governorates and between them and the federal administration, the support of the HCCP to build their capacities and the consequences of the decision of Parliament to suspend the provincial and local councils

More contacts took place with the Ministry of Planning, the HCCP, a number of Governorates, representatives of the academia and civil society to develop a comprehensive diagnostic assessment. A network of coordinators has been established in the Governorates to provide the mission with relevant information, and prospects of collaboration with the civil society in each province will be explored to get their views and input.

The data collection process has been coordinated with the national consultant in Iraq and with the UNDP Office in Baghdad.

4- Assessment on the High Commission for Coordination between Provinces and governorates

An assessment study was conducted to analyze the readiness of the Higher Commission for Coordination between Provinces and the governorates to implement the decentralization system, and to understand and analyze the course of decentralization in Iraq since the Constitution was adopted in 2005 until today with all the breakthroughs and challenges.

The assessment was conducted at the macro-level to understand the big picture. It was developed with limited access to data and slow responsiveness of the targeted stakeholders. The shortage of information was compensated with some surveys. However, the level of responsiveness within the set deadline was below expectations. The main parameters of the assessment were:

- the constitutional and legal frameworks (although limited) that lay down the decentralization system including the Provincial Powers Act with all its amendments;
- Some of the institutional actors that play a crucial role in the decentralization process (the HCCP, Ministry of Planning, Governorate Councils, Governors, district councils, the Development Coordination and Planning Councils in the Governorates, the Coordination Committees in the Governorates, and the Federal Supreme Court);
- Some of decisions and actions (comprehensive set was not easily reachable) issued by the institutional actors to proceed with the decentralization process and to transfer the units and functions of the ministries to the Governorates;
- the organizational and human capacities of the institutional actors (limited access);
- Sample of cases of jurisdictional conflicts that were arbitrated by the Federal Supreme Court and the Court's opinions on the distribution of prerogatives;
- The perception of civil society and civil servants of the decentralization system and practices.

An assessment report has been developed which addressed the following issues:

- a) Assessment of the Capacities of the HCCP** including: i) the smooth transfer of the administrative units and functions of the eight ministries and their staff incrementally;

ii) Coordination between the provinces and resolving their problems and obstacles; iii) mechanisms of coordination between the federal and local governments to manage the shared responsibilities; and iv) Consideration of the requests submitted by the local governments to the federal government for prerogatives and vice-versa to manage capital projects and to facilitate the administration of provinces;

- b) The Governorates and Local Administration** including i) The Main Prerogatives of the Governorate Council; ii) The Main Prerogatives of the District Council; and iii) The Main Prerogatives of the Sub-National Council;
- c) Administrative Coordination Vehicles** including i) Development Coordination and Planning Councils (DCPCs); ii) SDG Committees; and iii) Other Development Coordination Committees;
- d) Analytical Remarks about Governorates: Reality versus the Legal Frameworks including:** i) Conflicting perceptions of decentralization; ii) The vague division of responsibilities between the tiers of government; iii) Controversial Legal Interpretations and Jurisdictional Overlaps and Conflicts; iv) Different Interpretations of “Local Legislation”; v) Irregularity in Provincial Elections; vi) The Internal Divisions within the Governorate Councils; vii) The Interconnected Links between the Various Levels of Development; viii) Weaknesses in Public Participation; ix) Loopholes in the Capacity Building Provided by International Players and training providers; x) Scattered Studies on Decentralization; xi) The Legality of Provincial Decisions and xiii) Weak Political Commitment and Planning.

5- Perception survey

A perception survey was applied to collect and analyze the public perception on the decentralization system. The target audience of the surveys has been clustered into three main categories:

- The first cluster was made up of 11 university professors in order to get their academic perception of the decentralization system and process; (Refer to the Results of Focus Group Questions addressed to University teachers- Appendix 3 of the Contract Deliverable: Analytical Report on Perception);
- The second cluster was composed of a wide, diversified audience that targeted in addition to academic faculty, lawyers, journalists, students and public personnel (total number: 36) (Refer to the Results of the Perception Survey- Appendix 4 of the Contract Deliverable: Analytical Report on Perception)
- The third cluster was made up of Governors. A separate list of questions was addressed to Governorates. Unfortunately, only the Governor of Misan provided feedback (Refer to the Results of Questions addressed to Governorates- Appendix 5 of the Contract Deliverable: Analytical Report on Perception).

The target audience was given the opportunity to fill out the questionnaires electronically. Some questionnaires were submitted in writing, while others were completed online. (Refer to the perception report- Deliverable 3 of the contract)

The perception survey was conducted through several means:

- 1- Focus groups with the university professors;
- 2- Online survey dedicated to targeted sectors of concerned people such as lawyers, journalists, academics and university professors, to collect their perceptions on the decentralization system.
- 3- Meetings with governors (Missan, Zi-Qar, Basra and Al Anbar).

6- Analytical Report on Perceptions and Objectives of the Stakeholders

The Analytical Report on the Perception of Stakeholders wraps up the findings of the surveys, and meetings that were conducted by the international consultant to better understand the perception of the various stakeholders of the decentralization system and practices in Iraq.

This report also sheds light on some additional findings that were concluded in the period that followed the submission of the Assessment Report (Deliverable 2) inspired by the meetings held by the international consultant in Iraq between 18 and 21 April 2022 with a number of senior officials from Governorates, ministries, the HCCP and the National Security Agency to assess the evolution of the decentralization process in Iraq and to discuss the future prospects and reform guidelines.

7- New Approach to Decentralization Reform (Deliberative meeting and National Conference)

A new approach was proposed by the international consultant, comprised the outlines of the new roadmap for decentralization reform based on a national consensus between the Iraqi key stakeholders to adopt a new approach that focuses on re-engineering the decentralization process in Iraq and launching a national conference and national awareness campaign. A deliberative meeting has been conceived to launch this new approach, as a preparatory workshop that paves the ground for a new initiative (roadmap) which will be planned during a *National Conference on Decentralization in Iraq: Lessons Learned, Challenges, Roadmap for effective Decentralization*. (Refer to Appendix 1 Process to the National Conference and Appendix 2 The concept paper of the Preparatory Workshop for the National Conference of Contract Deliverable 3.2 – Decentralization Roadmap for Reform the first draft of Capacity Development Plan).

8- Preliminary capacity building plan

A first draft of the capacity building Plan was developed, which revolve around the following reform axes

- i. Refinement of the Legal Texts
- ii. Developing a National approach for a better system to transfer employees and functions
- iii. Controls on Governorates: the balance between autonomy, accountability and national integrity
- iv. Financial prerogatives and capacities;
- v. The organizational capacities of the HCCP and Ministry of Planning;
- vi. Reactivation of the Governorate Councils;
- vii. Capacity building of the Governorates;
- viii. Coordination between the Governorates themselves and with the federal administration;
- ix. Building trust with citizens and encouraging public participation;
- x. Monitoring the progress of decentralization by establishing Intelligent Units

9- Analytical Report on the Status of the Decentralization Legislations (conflicts, contradictions and gaps):

Analytical Report on Decentralization Legislations and Regulations was developed in Arabic and English which represented a summary of the research that was done aiming at exploring the historical legal bases of decentralization in Iraq and the evolution of laws and regulations that govern the process throughout the different political phases that the country had passed through. The report analyzed the legal frameworks, identifies their loopholes and contradictions between the federal and regional levels and sets the direction for legal reforms on the decentralization front.

10- Plan for Reform Orientation:

The Plan for Reform Orientation identifies the performance areas which highlight the capacities to be built, the objectives of each capacity, the current situation which forms the baseline, the key activities to be executed, the key performance indicators (KPIs), and the entities responsible for implementation. The performance areas are defined in the Proposed Reform section. Reform activities are identified for each of the 12 performance areas (Refer to the Plan for Reform Orientation)

It is noteworthy to mention that the “Plan for Reform orientation” was to set the outlines of the reform plan, rather than a detailed roadmap. It is, in fact, a method for identifying weaknesses and developing

a background paper, and not final solutions. Therefore, this report is indicative and focused on determining the actions to be taken.

11- Preparatory Workshop for a National Conference

This preparatory workshop was proposed by the international consultant to deliberate and agree on a new roadmap towards the national dialogue on decentralization in Iraq.

The preparatory workshop held for one and a half days, on September 25-26, 2022 in Baghdad and was attended by the Head of the High Commission for Coordination between Provinces Secretary Dr. Aqeel Mahmoud Al-Khazali, the Deputy Minister of Planning, Dr. Maher Hamad Johan, the representative of the European commission in Iraq and the representative of UNDP, Mr. Ghimar, Deputy Resident Director in Iraq, federal and decentralized ministries, some governors and representatives from all the Iraqi governorates.

All participants emphasized the importance of this workshop, which will serve as a formal introduction to the national conference, which is expected to take place at the end of the year.

Participants have discussed paths to decentralization that are compatible with the Iraqi context. The workshop also emphasized the importance of launching national-level awareness campaigns and dialogue processes, as well as reviewing scientific approaches to re-engineering the decentralization in Iraq.

Participants have also declared that Decentralization in Iraq has encountered difficulties and obstacles in some governorates while achieving success in other governorates such as Al Anbar. Because Decentralization, is a long process that must be built on a national consensus taking into account multiple factors such as geographic and demographic factors, economic potentialities and financial resources, that ensure balanced development among the Iraqi governorates. In addition, participants confirmed that the roadmap to Decentralization is based on a broad national approach that should be built on a well-designed path aiming at bringing this system back to life and ensuring a better functioning of the decentralization system.

The preparatory workshop comprised four parallel specialized working groups, including:

- i. Technical aspects of Decentralization. A working session headed and moderated by Dr. Mohammed Al-Sayed (MoP) and Dr. Ahmed Makki (HCCP);
- ii. Administrative and Institutional aspects of decentralization. A working session headed and moderated by Dr. Sawsan Jabbar (MoP) and Dr. Hasan Krayem (UNDP);
- iii. Legal bases for building decentralization in Iraq. A working session headed by Dr. Wassim Harb and assisted by Mr. Ahmed Dheyaa;
- iv. Financial management and business environments. A working session headed by representatives from the Ministry of Planning and Ministry of Finance.

The preparatory workshop concluded with the adoption of subsequent steps to continue efforts in light of the new road map towards an effective decentralization, including: i) the

establishment of the National Dialogue Forum on Decentralization under the auspices of the Iraqi Prime Minister, and ii) the establishment and organization of the National Dialogue Forum in Baghdad under the leadership of the Secretariat of the High Commission For Coordination between Provinces and the Ministry of Planning and with the support of UNDP and EU.

E- PROJECT DELIVERABLES

No. #	DELIVERABLES
1	INCEPTION REPORT
2	ASSESSMENT OF THE HIGH COMMISSION FOR COORDINATION BETWEEN PROVINCES (HCCP) AND GOVERNORATES NOT INCORPORATED INTO A REGION;
3	ANALYTICAL REPORT ON THE PERCEPTIONS OF STAKEHOLDERS
4	ANALYTICAL REPORT ON THE STATUS OF DECENTRALIZATION LEGISLATIONS AND REGULATIONS
5	PLAN FOR REFORM ORIENTATION
6	ROADMAP FOR A NEW PROCESS TOWARDS DECENTRALIZATION IN IRAQ

F- CONSTRAINTS AND MITIGATION STRATEGY

1- Constraints:

The international consultant has faced multiple constraints and challenges during the implementation process on various levels:

1.1- Constraints to Stakeholders responses:

- a) The project key stakeholders, mainly the Ministry of Planning and the High Commission for coordination between Provinces (HCCP), were positively collaborative with the international consultant to implement the activities of the project. However, their responsiveness was slow due to special circumstances related to the country's situation.
- a) Governors included in this project, worked also cooperatively with the international consultant; however, their responsiveness in filling out the required questionnaire and providing their regulatory texts, was slow.

1.2- Constraints to Data collection process:

- a) The national consultant who was appointed to conduct field research and collect information from stakeholders failed due to a lack of responses from stakeholders.
- b) The lack/difficulty in collecting the Official Gazette from different provinces due to several reasons, mainly the damages caused by fire and acts of sabotage, etc. Some governorates do not have complete volumes or collections of their official gazette. Only a small number of official gazettes were collected from Basra, Missan, and Zi-Qar (one volume from each governorate).
- c) The lack of some governors’ responsiveness in completing the questionnaire to assess the governorates works; and providing the regulatory texts of their governorates;
- d) The lack of one single source that collects the various types of legal texts (laws, by-laws, regulations, etc.) issued by the central government or the governorates related to decentralization in Iraq.
- e) There is no singly party concerned who has all the studies, reports on decentralization in Iraq. Not even the international donors’ community provides a single access to available, updated sources.

1.3- Constraints to the Completion of the Perception Surveys:

The completion of surveys was a challenging and time consuming task. The international consultant, through the local experts, had to follow up intensively to reach out to the respondents and to ensure their engagement. The process took more time than expected. Some official correspondence was also required in order to include public servants in the surveys. Among the targeted Governors, only the Governor of Missan filled out the questionnaire. It was noticed that the level of responsiveness was low. A more proactive outreach strategy was required. Many people were reserved and hesitant to provide their feedback as the subject is delicate and the open expression of views is not widely practiced.

2- Mitigation efforts:

- 2.1- The international consultant has coordinated with UNDP to address the HCCP and obtain the necessary data.
- 2.2- The international consultant relied on the Arab Center for the Development of the Rule of Law and Integrity-ACRLI’s network of experts in Iraq, which included well-positioned legal experts and lawyers, in order to complete the data collection. Accordingly, the international consultant has succeeded in collecting the full volumes of the official gazette of Dyala governorate and a small number of regulatory texts from the targeted governorates.
- 2.3- The international consultant has succeeded in identifying the legal gaps and loopholes of the decentralization legal framework, through his strong connections with prominent Iraqi legal practitioners and judges, who assisted in providing a clearer vision on the status of the decentralization legislation and needed legal information.

2.4- The international consultant has proposed that UNDP serve as the focal point of coordination between the Iraqi stakeholders and the international donor community.

G- PROPOSED REFORM

Based on the assessment of the Decentralization system in Iraq and the stakeholders’ needs, the international consultant has proposed several aspects of reform, including capacity development linked to performance areas identified in the Assessment Report and clustered by type of decentralization. (Administrative, financial and political). Reform activities are identified for each of the 12 performance areas (Refer to the Plan for Reform Orientation)

1- Administrative Decentralization:

- **Performance Area 1: Distribution of Prerogatives: Legal reforms**

Objective: Clarification in the allocation of responsibilities between government tiers, abolishment of ambiguities and duplications in jurisdictions and reduction in the number of conflicts between the Center and the periphery.

- **Performance Area 2: Building the capacities of Governorates at the organizational, human, technical levels**

Objective: Governorates have the required competences to execute their prerogatives for better public policy making and public service delivery at the local level, and reducing divisions and conflicts within Governorate Councils.

- **Performance Area 3: Control on Governorates: Looking for the optimum balance between administrative autonomy and accountability**

Objective: Building an effective accountability system that puts Governorates’ performance under check and ensures the integrity of their Councils.

- **Performance Area 4: Strengthening the capacities of the HCCP**

Objective: Ensure the smooth transfer of central functions and personnel to the Governorates according to a systematic plan and better vertical coordination between the government tiers

- **Performance Area 5: Strengthening the capacities of the (DCPCs)**

Objective: Enhanced, inclusive policy making by the Governorate Councils in accordance with the realities, facts and actual demands and priorities of the various segments of the Governorates’ population.

- **Performance Area 6: Strengthening the capacities of the Ministry of Planning**

Objective: Development plans at the national and local levels that are well integrated and implemented and the full utilization of the economic and social potentials of Governorates.

2- Financial Decentralization:

- **Performance Area 7: Financial autonomy based on local powers**

Objective:

Governorates are capable of generating revenues to enable them to embark on capital projects that promote local development and improve delivery of public services to the population.

- **Performance Area 8: Enhanced financial capacities of Governorates based on the flow of revenues from the federal authorities**

Objective:

Financial allocations from the federal administration to the Governorates respect the maturity dates in order to nourish the provincial budget required to embark on capital projects.

- **Performance Area 9: Enhancing the financial planning capacity of Governorates**

Objective:

Estimation of provincial expenditures and revenues according to a well-established strategic vision and planning methodology linking development goals with financial capacities.

3-Political Decentralization:

- **Performance Area 10: Enhanced public participation**

Objective:

Making inclusive and participatory provincial decisions to build trust with the citizens of the Governorates and enhance the image of the local administration.

- **Performance Area 11: Electoral reform**

Objective:

Conducting provincial elections in a way that represents the will of the people of the Governorates according to certain criteria that would enhance public representation and the professional performance of the Governorate Councils at the same time.

H- CONCLUSIONS:

The overall assessment of the project’s accomplishments is remarkable in terms of the timely and positive outputs produced and the genuine endorsements received from both the Ministry of Planning and the High Commission for Coordination between Provinces (HCCP) and the concerned governorates.

The engagement of the above key stakeholders in the project was an additional value to affirm the new process towards a better decentralized system and the need for reform as stated in the assessment studies and various activities of the project. This engagement has been notable, particularly through the participation of these entities in the project’s meetings and workshops.

The most significant outcomes produced throughout the project and endorsed by the key stakeholders, the Ministry of Planning and the HCCP as well as by the various governors, can be listed as the following:

- 1- The international consultant was successful in proposing a **new approach towards the re-engineering of the decentralization system in Iraq, with a special focus on the administrative decentralization with the ultimate goal of improving the public service delivery**. This approach consists of collecting and analyzing key information necessary to develop the parameters of a strong decentralization system, mainly: i) the geographical and demographic characteristics of the Iraqi governorates; ii) governorates’ resources and potentialities, such as national resources; natural wealth; national highways, roads, & transportations; communications; electricity, water & waste management sectors; rivers and forests, etc.; iii) Economic potentials (touristic sites, schools, industries, companies, hospitals and other institutions to be able to functions, etc.) and infrastructures; and iv) structure of the government administrations and Human Resources; as well as the administrative procedures and forms on both central and local levels;
- 2- The international consultant was successful in proposing a **National Conference to launch the new roadmap of decentralization reform in Iraq;**
- 3- The Iraqi key stakeholders have endorsed the National conference as a starting point for launching dialogue among concerned parties and discussing the parameters of re-engineering the decentralization system in Iraq. This national conference, which is expected to take place by the end of 2022, will be attended by the Iraqi three authorities.
- 4- The international consultant was successful in emphasizing the deficiencies and loopholes of the applied decentralization process in Iraq and in presenting the outlines of the reform plan for an effective decentralization system, as per the projects reports.

I- RECOMMENDATIONS:

Throughout the project phases, multiple aspects of reform were observed. **A complete reengineering of the state apparatus is needed to better reallocate prerogatives among the government tiers and to improve public service delivery by making citizens at the center of government policies aiming at the achievement of sustainable development.**

The recommended aspects of reform include:

1- Legislative Reform:

- 1.1- Amending or issuing new Law on Decentralization in Iraq considering multiple aspects as defined in the Analytical report on the Status of the Decentralization legislations and regulations.
- 1.2- Issuing a set of regulatory legal texts that regulates the internal affairs of the governorates and the relation between governorates and the central government;
- 1.3- Developing the NATIONAL LEGAL CORPUS comprising all the laws and regulations issued from the governorates;
- 1.4- Building governors' capacities on legislative drafting.

2- Institutional Reform:

- 2.1- Establishing Intelligent Unit to monitor the process decentralization;
- 2.2- Building the Organizational capacities of the HCCP and Ministry of Planning;
- 2.3- Building the capacities of the governors on different administrative and financial aspects;
- 2.4- Strengthening the capacities of the Development Coordination and Planning Councils (DCPCs) to support the process of decision making by the Governorate Councils.
- 2.5- Developing and implementing the performance and quality measurement systems;
- 2.6- Encouraging the use of information and communication technologies through the development of the e-government solutions.

3- Public Participation:

- 3.1- Implementing a public awareness campaign as decentralization was not presented to the general public and to the administrators in a clear manner to raise their awareness about its advantages and that it is not related to politics as much as it is related to the improvement of the social and economic aspects of life.
- 3.2- Increasing public participation, through the use of e-government solutions and measuring performance systems, to build trust with the citizens of the Governorates and enhance the image of the local administration in line with the international standards and criteria;
- 3.3- Establish an observatory of CSOs and academia to monitor the performance of the various sectors of Governorates.

3.4- Conducting provincial elections to represent the will of the people of the Governorates
Recommend a number of electoral reforms to improve the electoral process and performance of the Governorate Councils.