	An electronic journal of the Middle East, for those who want to be informed.		
<u>S</u> i	ssue No. 51 Texas	October 15th, 2005	http://www.morethantourists.com
	ContextsTopicalIn the News1The Iraqi Constitution (2)2-3CalendarThis Month in the Middle East4	WelcomeThe second installment of the Iraqi Draft Constitution is on page 3. You canobtain the rest of the document (my condensed version, or as translated by theAssociated Press) on the web site, under Documents. The referendum on theconstitution is scheduled for today, October 16 th .Last-minute (well, the day before yesterday) changes were made to easesome Sunni worries about the breakup of the country, and the persecution of ex-Baathists, but it is probable that these amendments will be added later, ratherthan into the constitution as it is.Email your responses to pkclark@pmbx.net & check the web for back issues.	
	<i>in the News</i> If the map on the right seems	Russia	

KARACHAI-

ABKHA

Black Sea

CHERKESSIA

C

E

If the map on the right seems familiar, then you must be a long-time reader of *e*-NEWS. It was used in issue 25 to illustrate the Mountain *Republics* of Russia. These are semiautonomous republics that had been granted special status by the Soviet Union, hoping to ease some of the ethnic strife in the region. In later years, since the break-up of the Soviet Union in 1989 the independence movements in the region have been involved in increasing violence. This became evident to the West with the Beslan school siege of September 2004. On Thursday of this week militants

of the Caucasus Front launched a large-scale raid in Nalchik, involving perhaps as many as 200 rebels. They were armed with rocket launchers and other weapons, and made a frontal assault on Nalchik's police stations, military installations, and the airport. Reports say that 91 militants were killed and 36 arrested, some after a hostage-taking and siege of one of the city's police stations. Twelve civilians were killed in the raid, and 24 members of the military.

TURKEY

Kabardino-Balkaria Population: About 900.000 48% Kabardine 9% Balkar 32% Russian The population had converted to Sunni Islam during the 17th and 18th centuries, but this was repressed during the communist era. Karbadian is also spoken by the Cherkess peoples.

The Caucasus Front is based in Chechnya. They were apparently joined by Yarmuk, a militant group local to Kabardino-Balkaria. These two groups were involved in various incidents last winter between militants and security personnel. In December the Yarmuk group killed guards at a Russian Drug Control Agency office in Nalchik, escaping with a large cache of weapons. In January 7 some of the same militants were killed after a two-day siege of an apartment block, including the group's leader, Muslim Atayev, as the authorities attempted to remove Yarmuk as a threat. In February another siege led to the deaths of a number of rebels hiding from police in Nalchik.

Nalchik

Besla

GEORGIA

ARMENIA

(abardinð

Balkaria

CHECHNYA

Grozny

The new leader of the Chechnya rebel movement announced in May that Kabardino-Balkaria was the new front in the resistance against the Russian presence.

Tomorrow...

October 19th October 20th November 8th January 25th

Saddam Hussein's trial to begin. Mahmoud Abbas to meet Pres. Bush Egyptian parliamentary elections Palestinian Legislative Elections

Caspian

Sea

Kizlia

Ckhasaviur

Makhachkala



Today, October 15th, the Iraqi people will vote in a referendum on whether or not to accept the new constitution. This is the latest in a series of steps in the rebuilding of the state, and one which has been in process since soon after the January elections. The constitution will provide the framework for the administration of the country, and for regular (every 4 years) parliamentary elections.

If the constitution is approved the first parliamentary election should be held on December 15th, with a new government sworn in by December 31st. If it is not approved, the December 15th election will be for a new provisional parliament (such as the current one is) which will then begin the process of writing a new constitution all over again.

The vote today, then, is not just a vote for the constitution as proposed by the current, temporary, parliament. It is also a vote for Iraq to move closer to independence, out of this period of temporary, provisional, administration. Once a government is elected and installed further amendments to the constitution can then occur – and almost certainly will.

In fact, there has been a certain leniency to the process, with some slight modifications being introduced even in the last couple of weeks. Out of the glare of the media – which is where the most effective negotiations occur, in the Arab world – the Arab League had been working to mediate between. The Sunni *Iraqi Islamic Party* recently expressed their willingness to accept the constitutional process, being the only Sunni group that has done this. (Two days later their offices in Baghdad, Fallujah and Baiji were attacked and burned).

Our condensed constitution can be found on page 3, opposite. It includes the first part of Chapter 3, Parliament, the Presidency and the Cabinet. The last part of Chapter 3 covers the Supreme Council, the Supreme Court, General Provisions (legal) and Independent Associations (banking, etc.).

Chapter 4 - the Powers of the Federal Authorities: Articles 107-112

Chapter 5 – the Powers of the Regions: Articles 113-135 (in sections paralleling that of chapter 3, the Federal).

Chapter 6 – Final & Transitional Guidelines: Articles 136-153.

The full constitution can be downloaded from the web site (click on Documents) in the full version (as translated by the Associated Press) or condensed, as it has appeared in \boldsymbol{e} -NEWS.

The Draft Iraqi Constution

- Chapter 3: the Federal Authorities. Part One: Legislature Parliament & Council of Union (Articles 47-63)
- (47) Legislative authority is the Council of Representatives [Parliament] and the Council of Union.
- (49) Members of [Parliament] shall take the constitutional oath: "I swear by God almighty to carry out my legal duties and responsibilities with dedication and devotion and to preserve the independence and sovereignty of Iraq and to look after the interests of its people and to see to the safety of its land, sky, water, wealth and democratic, federal system and to work to preserve the public and private freedoms and the independence of the judiciary and to abide by honestly and impartially implementing the legislation. God is the witness of what I say."
- (52-1) Sessions shall be public unless it is necessary to do otherwise.
- (54) [Parliament] shall elect by absolute majority its president, first deputy and a second deputy.
- (55-1) The duration of the council's cycle is four calendar years.
- (58-1) Quorum for [Parliament] is the attendance of the absolute majority of its members.
- (59): [Parliament] is given the following duties: 1. Legislating federal laws. 2. Examining draft laws.
 - 3. Overseeing the performance of the executive. 4. Certifying treaties.
- 5. Approving appointments.
- 6. (a) Questioning the president of the republic, & (b) Relieving the president of the republic of his duties for:
- 1 Violating the constitutional oath,
 2 Violating the constitution,
 3 Grand treason.
 7. (a) A member of [Parliament] has the right to ask questions about any subject that falls under their specialties,
 (b) At least 25 members of the [Parliament] may propose a general topic for discussion
- 8. (a) The [Parliament] may withdraw confidence from a minister by absolute majority.
- 9. (a) Approving the declaration of war and a state of emergency by a two-thirds majority.
- (60-1) The Cabinet presents the general budget bill and the final accounting statement for approval.
- (62-1) [Parliament] shall be dissolved by the absolute majority, based on a request from a third of its members...
- (63-1) A legislative "Council of Union" will include representatives of regions and provinces to examine related bills.

Part Two: 1. Executive – Presidency (64-73)

- (64) The federal executive authority consists of the President of the Republic and the Cabinet.
- (65) The President is...oversees adherence to the constitution and preservation of Iraq's independence and unity.
- (66) The president must: 1. be Iraqi by birth from Iraqi parents, 2. be legally competent and 40 years old,
- 3. have a good reputation and devotion to the homeland, 4. not have conviction of a crime that violates honour.
- (68-1) [Parliament] selects from among the candidates a president of the republic by a two-thirds majority.
- (70-1) The term of president of the republic is limited to 4 years.

(71) Presidential powers: (a) amnesty to those convicted in international crimes, terrorism, corruption, etc., (b) endorsing international agreements, (c) issuing laws enacted by [Parliament], (d) calling for [Parliament] to convene after election results are ratified, (e) awarding medals, (f) receiving ambassadors, (g) issuing protocols, (h) endorsing execution verdicts, (i) taking leadership of the armed forces for ceremonial purposes, (j) practicing other constitutional presidential powers.
(73-1) The president can present a written resignation to the PM. A deputy of the president replaces him during his absence.
(73-3) [Parliament] elects a new president within 30 days. The president of [Parliament] replaces him if there is no deputy.

2. Cabinet (74-87)

(74-1/2) The candidate of the majority forms a Cabinet within 15-30 days of the first session of [parliament].

- (74-3) The president assigns a new candidate to be prime minister if the 1st candidate fails to select a cabinet.
- (74-4) The PM is considered to have won confidence when his ministers and platform are approved by a majority.
- (74-5) The president will assign another candidate to form a cabinet if the Cabinet does not win confidence.
- (76) The PM is the executive responsible for the policy of the nation, commander of the armed forces and carries out the administration of the Cabinet and presides over its sessions. The PM has the right to remove ministers.
- (78): The Cabinet duties: 1.planning & implementing state policy; supervising the work of ministers. 2. proposing laws.3. issuing decisions to implement laws. 4. preparing the budget. 5. recommending appointments of undersecretaries of
- ministers, ambassadors, military & security staff. 6. negotiating and signing treaties and international agreements. (79-1) The president of the republic becomes the acting prime minister when the position is empty for any reason.
- (80) The salaries and allowances of the prime minister and the minister when the position is empty for any reason.
 (80) The salaries and allowances of the prime minister and the ministers and those at their rank shall be fixed by law.
 (82-1) The work of the security apparatuses and intelligence service shall be fixed by law; their duties and powers shall be specified and they shall work according to the principles of human rights and shall be subjected to [parliament].
 (86) Judges are independent, with no authority over them in their rulings except the law.
- (87) The federal judiciary will include the Supreme Judiciary Council, Supreme Federal Court, Federal Cassation Court, the Prosecutor's Office, the Judiciary Inspection Department and other courts that are organized by law.

This Month

Sept 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 Oct 2 3 4 5 6 7 8 9 10 11 12 13				
	14 15			
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Europe Britain may ban 15 r	militant groups			
Africa SLM boycott Darfur talks Govt forces kill 44 in Darfur				
	testers call for			
Aceh disarmament begins	on of bombers			
Pakistan Terrorist leader Chotto arrested in Rawalpindi Taliban spokesman Earthquake in Kashmir, on Warrested in Rawalpindi Barthquake in Kashmir,	/oman suicide bomber Indian Kashmir			
Afghan. Election candidate attacked 5 US die as helicopter crashes Smugglers caught at airport w/ 3lb heroin Suicide bomber kil	Is Agha Shah			
Election results due Candidate killed a Taleban storm jail in Khost (East) a Election contraction of the storm provided and the storm pro				
in late October. Some results come ELECTION 50% turnout (results expected 10/22) Hazara candidate killed in Mazar e-Sharif Car bomb aimed at Canadians kills child				
in earlier Woman wins Assembly seat Taliban kill 18 police in Helmand prov.				
Arabia King vows to crush Al Qaeda				
	Curfew ahead of referendum			
Shia cleric murdered Samarra mortars kill 7 5 Iraqi Anglicans leaders feared dead Arab league envoys mediate IIP offices bombed, burned				
361 held, 145 killed in Tel Afar op. 29 die in attacks, inc Shia cleric Afar op in Baghdad Afar Market Shia teacher killed in Schiefer Afar Afar Afar Afar Afar Afar Afar Afa	Referendum on Constitution Possibly 60% turnout			
Cal bond kins of a band band band band band band band ba	elegation attacked			
October 15 referendum.	ccepts amended charter			
Saddam trial begins streets to protect arrests	tide bomb kills 30+			
US deaths: 8/2: 1,787, Attacks kill 24 Hillah bike Al Qaeda #2 killed On Iron First Syrian Referendum amendment dropped	kill 12+ in Baghdad			
9/13: 1,890, 10/5: 1,938, Shia festiva at Karbala bombs-7 die in Bachdad raid border (ends 10/7) – Bomb kills 25 at Shia mergue in Hilla 2 nd Tel A	far bomb kills 30			
2 UK soldiers freed from Basra jail	oup IIP offers approval for constitution			
Sistani approves new constitution Woman suicide bomber kills 8 in Tel Afar Judge, school principal killed Report: b	oomb materials come from Iran			
Iran Will share nuclear data IAEA refers Iran to UN Students demonstrate at UK embassy UK accuses Iran of aiding Iraq militants	2 bombs in Ahwaz, SW Iran			
Turkey Turkey refuses EU call to recognize Cyprus Forum on Armenian genocide is cancelled by court Turkey begins talks on entering EU	fied in Turkey			
Lebanon Bomb in Christian quarter kills 1 Bomb maims anti-Syrian journalist				
	minister commits suicide			
Jordan				
Egypt Sunni Iraqi clerics meet & reject new constitution				
	sports stadium f or Israeli Arabs			
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change to avoid Palestinian hardship Airstrike kills Islamic Jihad leader Checkpoint knife attack-youth held				
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