

The Composition and Competences of the Main Official Environmental Institutes in Iraq: The Need for a Permanent Institutional Cooperation under the Iraqi Federal System

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I. Introduction

The 2005 Constitution of Iraq guarantees every person the right to live in a healthy environment and obliges the government to protect the environment and the biological diversity in Iraq.¹ On the one hand, as far as the resources of water coming from outside Iraq are concerned, the 2005 Constitution of Iraq grants exclusive power to the Federal Government to adopt a policy regulating such resources.² On the other hand, the 2005 Constitution of Iraq stipulates that the Federal Government and Regions have a shared competence to adopt policies on environment, health and water resources.³ To exercise the shared competences, the Constitution of Iraq allows the Federal Government, Regions and Provinces to adopt laws. The Constitution also gives priority to laws adopted by Regions and Provinces over laws adopted by the Federal Parliament in case of contradiction between such laws.⁴ Currently, many laws are in force on the protection of environment in Iraq (see Table 3),⁵ the main of which are the law adopted in 2009 by the House of Representatives of Iraq⁶ and the law enacted in 2008 by the National Council of Kurdistan Region of Iraq.⁷

Based on the above-mentioned constitutional framework, it can be inferred that all the levels of governments in Iraq have the power to act on matters related to environment. Consequently, several bodies specialized in environmental matters were established in each level of government (see Tables 1 and 2). The Federal Government created the Ministry of Health and Environment, which has branches in Baghdad as well as in the Provinces of Iraq. At regional level, the Region of Kurdistan instituted the Board of Environmental Protection and Improvement. Finally, each Province in Iraq shall establish the Council of the Protection and Improvement of Environment. The following sections examine the composition and competences of these institutions.

¹ Article (33) of the 2005 Constitution of Iraq, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 4012 on 28 December 2005. Available in Arabic at <<http://iraqld.hjc.iq:8080/LoadLawBook.aspx?page=1&SC=&BookID=25626>> An English version of the Iraqi Constitution can be found at <https://www.constituteproject.org/constitution/Iraq_2005?lang=en>

² *Ibid.*, Article 110(Eighth).

³ *Ibid.*, Article 114(Third, Fifth and Seventh).

⁴ *Ibid.*, Article (115). See also Article 121(Second) of the 2005 Constitution of Iraq.

⁵ See also the table on the (draft) laws and regulations related to environment referred to in Ministry of Environment, *Halat Albiaa fi Al-Iraq fi 2017* (Report on the Environmental Situation in Iraq in 2017), 2017, pp. 349-350. Available at the website of the Ministry of Environment <<http://www.moen.gov.iq/>>

⁶ Law number (27) of 2009 on the Protection and Improvement of Environment, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 4142 on 25 January 2010.

⁷ Law number (8) of 2008 on the Protection and Improvement of Environment in Kurdistan Region of Iraq, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 90 on 8 November 2008.

II. The Structure and Competences of the Federal Ministry of Environment

The Ministry of Environment was merged with the Ministry of Health based on the decision of the then Prime Minister, Mr. Haider Alabadi, on 16 August 2015. The current Iraqi Council of Ministers considers both Ministries as one by calling them as the Ministry of Health and Environment.⁸ Also, one Minister was appointed on both Ministries, namely Dr. Jaafer Sadeq Allawi. However, both Ministries still act as independent from each other in practice, as the Iraqi Parliament has not yet enacted a law regulating the merging of both Ministries. In this respect, the law of the Ministry of Environment number (37) of 2008 is still in force, which comprises (15) Articles that briefly define the structure and competences of the Ministry.⁹ On the basis of that law, two regulations were issued by the Minister of Environment defining in further details the composition and competences of the Departments of the Ministry as follows: Regulation number (2) of 2010 on the Composition and Functions of the Council of the Ministry of Environment¹⁰ and Internal Regulation number (1) of 2011 on the Composition and Functions of the Departments of the Ministry of Environment.¹¹ As the merging of the Ministry of Health and the Ministry of Environment has not yet been regulated, the current analysis will examine the composition and competences of the Ministry of Environment as stipulated in the above-mentioned legislations.

Pursuant to its law, the Federal Ministry of Environment was considered as the main institute responsible for acting on matters related to the protection and improvement of environment at both national and international levels.¹² Hence, the Ministry was granted several powers such as:

1. proposing the public environmental policy to the Council of Ministers of the Federal Government;
2. taking measures to protect environment;

⁸ See the organization chart of the Sixth Iraqi Government at the website of the General Secretariat for the Council of Ministers: <<http://www.cabinet.iq/uploads/SixthIraqiGovernment/index.htm>>

⁹ Law number (37) of 2008 of the Ministry of Environment, adopted by the House of Representatives of Iraq, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 4092 of 2008.

¹⁰ Regulation number (2) of 2010 on the Composition and Functions of the Council of the Ministry of Environment issued by the Federal Minister of Environment, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 4152 on 10 May 2010.

¹¹ Internal Regulation number (1) of 2011 on the Composition and Functions of the Departments of the Ministry of Environment, issued by the Federal Minister of Environment, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 4211 on 3 October 2011.

¹² Article 2(Second) of Law number (37) of 2008 of the Ministry of Environment, *op. cit.*

3. studying international treaties related to environment in coordination with the concerned Ministries and suggesting the approval of such treaties to the relevant authorities; and
4. cooperating with international institutions and civil society organizations specialized in environment.¹³

The Federal Ministry of Environment comprises several Departments and Divisions, some of which belongs to the Headquarter of the Ministry whereas others are linked to the Ministry (see Table 1).

1. At Headquarter level, the Ministry comprises **Departments** that are administered by a Director General as follows: Technical Department; Legal Department; Planning and Follow-up Department; Department of Administration and Finance; and Department of Environmental Awareness and Media.¹⁴ In addition to these Departments, the Ministry Headquarter is composed of **Divisions** that are administered by a Manager and linked to the Minister of Environment, which are the Minister Office; Division of Internal Auditing and Supervision; Public Relations Division; International Environmental Relations Division; Division of the Council of the Protection and Improvement of Environment; and Division of Contacts.¹⁵
2. Besides the Headquarter Departments and Divisions, the Ministry of Environment established the **Central Laboratory of Environment**¹⁶ and the **Radiation Protection Centre**.¹⁷ Also, the Ministry of Environment has four **Regional Departments** located in Northern Iraq, the Middle Euphrates Region, the Central Region and Southern Iraq.¹⁸ As examined below, each of these Regional Departments comprises Provincial Departments established in the Iraqi Provinces (see Table 1), except in Kurdistan Region. It shall be mentioned here that neither

¹³ *Ibid.*, Article (4).

¹⁴ *Ibid.*, Articles 8(First) and 11(First). See also Articles 1(First) and 18(First) of Internal Regulation number (1) of 2011 on the Composition and Functions of the Departments of the Ministry of Environment, *op. cit.*

¹⁵ Articles 8(First) and 11(Second) of Law number (37) of 2008 of the Ministry of Environment, *op. cit.*, and Articles 1(First) and 18(Third) of Internal Regulation number (1) of 2011 on the Composition and Functions of the Departments of the Ministry of Environment, *op. cit.*

¹⁶ For more details on the competences of the Central Laboratory of Environment, see Article (17) of Internal Regulation number (1) of 2011 on the Composition and Functions of the Departments of the Ministry of Environment, *op. cit.*

¹⁷ *Ibid.*, Article (14).

¹⁸ Articles 8(First) and 11(First) of Law number (37) of 2008 of the Ministry of Environment, *op. cit.*, and Articles 1(First) and (15) of Internal Regulation number (1) of 2011 on the Composition and Functions of the Departments of the Ministry of Environment, *op. cit.*

the 2008 Law of the Ministry of Environment nor its subsequent 2010 and 2011 Regulations explicitly established institutional cooperation between the Federal Ministry of Environment and the Board of Environmental Protection and Improvement of Kurdistan Region (BEPIKR). However, the Law on the Protection and Improvement of Environment in Kurdistan Region obliges the BEPIKR to cooperate with the Federal Ministry of Environment with respect to matters related to international treaties.¹⁹ Also, cooperation between the two levels is required to ban the import and use of the internationally banned chemicals.²⁰

In addition to the above-mentioned Departments and Divisions, a **Ministerial Council** was established by the 2008 Law of the Ministry of Environment, which is a consultative body that comprises the Minister of Environment, the Administrative Deputy Minister, the Technical Deputy Minister and the Director Generals of the Ministry.²¹ The Minister of Environment may seek the opinion of experts on matters submitted before the Ministerial Council.²² The Council shall meet at least once a month and can take decisions with the approval of the majority of its members attending the session concerned.²³ It has the powers to approve the working plan of the Ministry; propose the operational and investment budget of the Ministry; study the technical and administrative problems related to the work of the Ministry and take the appropriate decisions in this respect; and examine other matters submitted to it by the Minister of Environment.²⁴

The Ministerial Council of the Ministry of Environment shall be distinguished from the **Federal Council of the Protection and Improvement of Environment** (hereafter referred to as the Environmental Federal Council), as while the former is composed of members of the Ministry of Environment and has competences on the Ministry of Environment, the latter comprises Members from almost all the Federal Ministries in Iraq and has powers related to environment at national level.²⁵ The Environmental Federal Council is presided by the Minister of Environment and comprises representatives from the Federal Ministries at least at Director

¹⁹ Article 3(Ninth) of Law number (8) of 2008 on the Protection and Improvement of Environment in Kurdistan Region of Iraq, *op. cit.*

²⁰ *Ibid.*, Article (37).

²¹ Article (7) of Law number (37) of 2008 of the Ministry of Environment, *op. cit.*, and Article 1(First) of the Regulation number (2) of 2010 on the Composition and Functions of the Council of the Ministry of Environment, *op. cit.*

²² Article 1(Second) of Regulation number (2) of 2010 on the Composition and Functions of the Council of the Ministry of Environment, *op. cit.*

²³ *Ibid.*, Article 2(Second).

²⁴ *Ibid.*, Article 3(First).

²⁵ Article (3) of Law number (27) of 2009 on the Protection and Improvement of Environment, *op. cit.*

General level.²⁶ The Council meets at least once every two months and can issue decisions after securing the approval of the majority of its members attending the session.²⁷ It may recommend the Council of Ministers of the Federal Government to take certain measures and such recommendations will become legally binding if they are approved by the Council of Ministers.²⁸ The business of the Environmental Federal Council is administered by the Division of the Council of the Protection and Improvement of Environment, which is directly linked to the Minister of Environment (see Table 1).²⁹ The Environmental Federal Council is linked to the Provincial Councils of the Protection and Improvement of Environment, as will be detailed below. The Environmental Federal Council has mandate to:

1. provide recommendations on matters related to international relations on environment, national emergency plans, (draft) legislations on environment, and the national annual report on environment before the submission of such report to the Council of Ministers;
2. review the environmental aspects of draft national plans and programs prepared by the relevant Ministries;
3. coordinate with the relevant authorities to prepare and implement local programs related to the protection of environment;
4. coordinate the work of the Ministries and bodies specialized in environment and evaluate the work of these authorities;
5. prepare a list of the cultural and natural heritage sites in cooperation with the competent authorities and propose the inclusion of such sites in the World Heritage list; and
6. evaluate the work of the Provincial Councils of the Protection and Improvement of Environment.³⁰

Finally, it is interesting to mention her two issues stipulated by the 2009 Law on the Protection and Improvement of Environment. First, the Law in question requires the Federal Ministry of Education and the Federal Ministry of Higher Education and Scientific Research to **incorporate subjects related to environmental science in the educational curriculum**.³¹ It also requires both Ministries to cooperate with the Ministry of Environment to establish, and to develop existing, educational institutes specialized in environmental science to prepare qualified persons working

²⁶ *Ibid.*, Article (4).

²⁷ *Ibid.*, Article (5)

²⁸ *Ibid.*

²⁹ Article (11) of Regulation number (1) of 2011 on the Composition and Functions of the Ministry of Environment, *op. cit.*

³⁰ Article (6) of Law number (27) of 2009 on the Protection and Improvement of Environment, *op. cit.*

³¹ *Ibid.*, Article (13).

in the environmental field.³² As this Article still needs to be materialized, it could thus be interesting to advocate the establishment of an Environmental School.

The second interesting issue that can be identified here is that the 2009 Law on the Protection and Improvement of Environment requires the establishment of **Environmental Police**.³³ The powers of the Environmental Police were further detailed by a Regulation issued by the Federal Minister of Interior in 2015.³⁴ According to that Regulation, the Environmental Police shall be administratively linked to the Civil Defense Department of the Ministry of Interior and technically to the Ministry of Environment and its Provincial branches.³⁵ The Environmental Police was granted many powers related to environmental aspects such as investigating environmental crimes as well as executing judicial orders and administrative decisions issued on environmental matters.³⁶

III. The Regional Institutes

The National Council of Kurdistan Region adopted a law in 2008 that aims at protecting the environment in the Region.³⁷ It also created the **Board of Environmental Protection and Improvement of Kurdistan Region (BEPIKR)**, which is composed of the following Departments that are administered by Directors General: Department of Administration, Finance and Legal Matters; Department of Environmental Awareness and Media; Department of Technical Affairs; and Departments of Environment in the Provinces of Kurdistan Region.³⁸ The BEPIKR is empowered to:

1. propose the general policy for environmental protection to the Council of Ministers of Kurdistan Region;
2. adopt annual, medium-term and long-term plans for environmental protection and improvement;

³² *Ibid.*

³³ *Ibid.*, Article (25).

³⁴ Internal Regulation number (1) of 2015 of the Environmental Police issued by the Minister of the Federal Ministry of Interior, published in the Iraqi Official Gazette (*Alwaqay'i*) number 4380 on 14 September 2015.

³⁵ *Ibid.*, Article 1(Third).

³⁶ *Ibid.*, Article 3(First and Sixth).

³⁷ Law number (8) of 2008 on the Protection and Improvement of Environment in Kurdistan Region of Iraq, *op. cit.*

³⁸ Article 6(First) of Law number (3) of 2010 of the Board of Environmental Protection and Improvement of Kurdistan Region of Iraq, adopted by the National Council of Kurdistan, published in the Iraqi Official Gazette (*Alwaqay'i*) number 114 on 2 August 2010. See also the following website of Kurdistan Regional Government <<https://gov.krd/english/government/entities/boe/>>

3. issue regulations on environmental aspects and supervise the implementation of such regulations taking into consideration international obligations and applicable laws on environment; and
4. check the causes of pollution and prepare environmental maps in coordination with the competent Ministries.³⁹

It must be mentioned here that the BEPIKR has replaced the Ministry of Environment of Kurdistan Region.⁴⁰ In this respect, the Law of the BEPIKR stipulates that any reference to the 'Ministry of Environment of Kurdistan Region' in Law number (8) of 2008 shall be replaced with the 'Board of Environmental Protection and Improvement of Kurdistan Region'.⁴¹

The BEPIKR consists of the **Council of the Protection and Improvement of Environment in Kurdistan Region** (hereafter referred to as Kurdistan Regional Council of Environment), which is presided by the President of the BEPIKR and comprises representatives of the Ministries of Kurdistan, who shall be at least at Director General level, and representatives of the Provincial Councils of the Protection and Improvement of Environment.⁴² It meets on monthly basis and can take decisions on the basis of majority.⁴³ The Kurdistan Regional Council of Environment has the power to propose the environmental policy and to approve environmental standards.⁴⁴ In addition, it unifies the emergency plans prepared by the competent authorities and examines the negative effects of using internationally banned weapons in the region.⁴⁵

The Kurdistan Regional Council of Environment shall form **Provincial Councils of the Protection and Improvement of Environment** in each Province in Kurdistan.⁴⁶ The Provincial Councils of Environment are presided by the Governor of the respective Province and shall follow the implementation of the decisions of the Kurdistan Regional Council of Environment.⁴⁷ The Provincial Councils of Environment shall also propose environmental protection plans and supervise the implementation of such plans.⁴⁸ Finally, the Provincial Councils of Environment shall draw recommendations on environmental problems and regularly report to Kurdistan

³⁹ *Ibid.*, Article (4).

⁴⁰ See Law number (10) of 2006 of the Ministry of Environment, adopted by the National Council of Kurdistan, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 64 on 3 January 2007.

⁴¹ Article 11(First) of Law number (3) of 2010 of the Board of Environmental Protection and Improvement of Kurdistan Region of Iraq, *op. cit.*

⁴² *Ibid.*, Article 7(First).

⁴³ *Ibid.*, Article 7(Third).

⁴⁴ Article (6) of Law number (8) of 2008 on the Protection and Improvement of Environment in Kurdistan Region of Iraq, *op. cit.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*, Article (8).

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

Regional Council of Environment on the situation of the environment at the level of the Province concerned.⁴⁹

IV. The Provincial Authorities

At provincial level, some legislative and executive authorities have competences on matters related to environment. While the provincial legislative authorities have the competence to draw the policies of the province and to supervise the implementation of such policies, other bodies exercise executive powers. The following points summarize the role of the main bodies empowered to act on environment.

1. Provincial Councils (*Majles Al-muhafadha*) and District Councils (*Majles Al-qhadhaa*)

As highlighted in the introduction of the current study, the power to draw the environmental policy is considered as one of the shared competences between the Federal Government, Regions and Provinces not merged in a region.⁵⁰ Therefore, besides the Federal Government, Regions and Provinces may, for instance, adopt legislations on environmental matters. In this respect, the 2005 Constitution of Iraq gives priority to laws enacted by Regions and Provinces over laws adopted by the Federal Parliament if a contradiction was found between such laws.⁵¹ The legislative competences of Provinces is exercised by the Provincial Councils.⁵² The Law number (21) of 2008 on Provinces that have not Joined a Region empowers the Provincial Councils to draw the general policy and priorities of Provinces in coordination with the relevant authorities.⁵³ It also prioritizes the decisions taken by the Provincial Councils over the decisions of other authorities in case of contradiction.⁵⁴ Besides the Provincial Councils, the District Councils were also given certain supervisory competences on environmental matters, as they were empowered to work on improving agriculture and irrigation and to supervise and improve the educational, health, agricultural and social activities.⁵⁵

2. Council of the Protection and Improvement of Environment in Provinces

In addition to the Federal Council of the Protection and Improvement of Environment, Provincial Councils of Protection and Improvement of Environment (hereafter referred to as

⁴⁹ *Ibid.*

⁵⁰ Article 114(Third) of the 2005 Constitution of Iraq, *op. cit.*

⁵¹ *Ibid.*, Article (115).

⁵² Article (2) of Law number (21) of 2008 on Provinces that have not Joined a Region (as amended), adopted by the House of Representatives of Iraq, published in the Iraqi Official Gazette (*Alwaaqay'i*) number 4070 on 31 March 2008.

⁵³ *Ibid.*, Article 7(Fourth).

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*, Article 8(Eighth and Ninth).

Provincial Councils of Environment) were created on the basis of Law number (27) of 2009. In other words, each Province in Iraq shall form a ‘Council of the Protection and Improvement of Environment in the Province’, which shall be presided by the Governor of the Province in question and shall be linked to the Environmental Federal Council.⁵⁶ The Provincial Councils of Environment shall submit biannual report on their activities and on the obstacles to environmental protection to the Environmental Federal Council.⁵⁷

The composition and competences of the Provincial Councils of Environment were defined via a Regulation issued by the Minister of Environment acting as the President of the Environmental Federal Council.⁵⁸ Each Provincial Council of Environment is presided by the Governor and comprises the Deputy Governor, the President of Health and Environment Committee of the Provincial Council, the Director General of the relevant Regional Department of the Ministry of Environment, the Manager of the Department of Environment of the Ministry of Environment in the Province concerned, the Manager of Environmental Police and representatives from other authorities.⁵⁹

Similar to the Environmental Federal Council, the Provincial Councils of Environment shall meet at least once every two months and can make recommendations on the basis of majority.⁶⁰ Such recommendations shall be submitted for approval before the Environmental Federal Council.⁶¹ The Provincial Councils of Environment were given several competences related to environment such as the power to:

- a) follow the implementation of the decisions of the Federal Council of the Protection and Improvement of Environment;
- b) provide recommendations on matters related to environment and the emergency plans of the Province; and
- c) coordinate between the authorities competent to implement environmental protection programs.⁶²

⁵⁶ Article (7) of Law number (27) of 2009 on the Protection and Improvement of Environment, *op. cit.*

⁵⁷ Article 2(First)(f) of Regulation number (1) of 2012 on the Composition and Competences of the Council of the Protection and Improvement of Environment in the Province, issued by the Minister of Environment acting as the President of the Federal Council of the Protection and Improvement of Environment, published in the Iraqi Official Gazette (*Alwaqayyi'i*) number 4232 on 12 March 2012.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*, Article 1(First).

⁶⁰ *Ibid.*, Article 3(Third).

⁶¹ *Ibid.*, Article 3(Fourth).

⁶² *Ibid.*, Article 2(First).

3. Regional and Provincial Departments of the Ministry of Environment

The Ministry of Environment established four Regional Departments in Iraq, each of which supervises the work of the Departments of the Ministry of Environment in specific Provinces (see Table 1). Similar to the Ministry of Environment, the Regional Department and their Provincial branches were empowered to act in the environmental protection field. The competences of the Regional Departments of the Ministry of Environment and their Provincial branches are stipulated in Regulation number (1) of 2011.⁶³

V. Concluding Remarks

Although it is difficult to draw a precise conclusion based on this brief research, it is important to stress some important issues. First, establishing Iraq as a Federal State and considering the competence to adopt environmental policy as a shared competence between the Federal Government, Regions and Provinces not joined in a region pursuant to the 2005 Constitution led to the creation of many legislative and executive institutions that have the mandate to improve the environment, which makes all levels of governance in Iraq responsible for the protection of environment. Despite the constitutional obligation to establish cooperation between federal and regional authorities on shared competences, the current laws do not establish permanent institutional cooperation between the Federal Ministry of Environment and the Board of Environmental Protection and Improvement of Kurdistan Region. Second, the Iraqi legal system lacks a legislation on marshes and wetlands, as was identified by the Federal Ministry of Environment.⁶⁴ Third, if the House of Representatives accepts the merging of the Ministry of Health with the Ministry of Environment, it has to adopt a new law to regulate the merging of both Ministries. Otherwise, each of these Ministries currently has its own law. Fourth, as the Environmental Police is mandated with huge responsibility to investigate crimes against environment, it is necessary to technically and financially support these forces. Finally, there is a need to study the compatibility of Iraqi laws with international treaties on environment ratified by Iraq and call upon the House of Representatives of Iraq to amend laws that contradict with such treaties.

⁶³ See Articles 15(Fifth) and 16(First) of Internal Regulation number (1) of 2011 on the Composition and Functions of the Departments of the Ministry of Environment, *op. cit.*

⁶⁴ Ministry of Environment, *Halat Albiaa fi Al-Iraq fi 2016* (Report on the Environmental Situation in Iraq in 2016), 2016, p. 109. Available at the website of the Ministry of Environment <<http://www.moen.gov.iq/>>

Table (1): Structure of the Ministry of Environment and certain Bodies Linked to that Ministry		
Official Position or Department	Composition	Main Functions
Minister of Health and Environment	Dr. Hasan Mohamad Altimimy	See Article (5) of Law no. 15 of 2011 regarding the Ministry of Environment
Technical Deputy Minister	Dr. Jassim Abdul-Azeez Almuhamady Mobile: +9647809288768 Email: Dr.gassimalfalawy@gmail.com Website of the Ministry of Environment: <http://www.moen.gov.iq/>	See Article 15(Fifth) number (1) of 2011
Administrative Deputy Minister	Mr. Cameran Ali Hussain Mobile: +9647901935573\ +9647701521964 Email: Kamaran@gmail.com	
Ministerial Council of the Ministry of Environment	It comprises the Minister of Environment, the Administrative Deputy Minister, the Technical Deputy Minister and the Director Generals of the Ministry. The Minister of Environment may seek the opinion of experts on matters submitted before the Council.	The Council shall meet regularly and takes its decisions by a majority of its members attending its sessions. It has the powers to approve the annual investment budget of the Ministry; propose the investment budget of the Ministry; and to provide technical and administrative support to the work of the Ministry. It shall provide appropriate decisions and opinions on other matters referred to it by the Minister of Environment. For details, see Regulation no. 15 of 2011 regarding the Composition and Functions of the Council of Environment issued by the Council of Ministers.
Federal Council of the Protection and Improvement of Environment	It is presided by the Minister of Environment and comprises representatives from the Federal Ministries at least Director General level. It is linked to the Provincial Councils of the Protection and Improvement of Environment.	It meets at least once a month and can issue decisions after the approval of the majority of its members in each session.

		<p>It provides recommendations submitted before it, into the environment, national legislations on environment annual report on environment submission to the Council.</p> <p>It reviews the environment draft national plans and the relevant Ministries.</p> <p>It coordinates with the prepare and implement to the protection of environment.</p> <p>It coordinates the work of bodies specialized in environment the work of these authorities.</p> <p>It prepares a list of the heritage sites in cooperation with authorities and proposes sites in the World Heritage.</p> <p>It evaluates the work of the Protection and Improvement of Environment. (for more information of Law number (27) of 2000 Improvement of Environment).</p>
<p>Provincial Council of the Protection and Improvement of Environment in Provinces</p>	<p>It is linked to the Federal Council of the Protection and Improvement of Environment.</p> <p>It shall be formed in each province and shall be presided by the Governor.</p> <p>It comprises the Governor, Deputy Governor, the President of Health and Environment Committee of the Provincial Council, the Director General of the relevant Regional Department of the Ministry of Environment, the Manager of the Department of Environment of the Ministry of Environment in the Province</p>	<p>It shall meet at least once a year and can make recommendations.</p> <p>The recommendations require approval before the Federal Council of Protection and Improvement of Environment.</p> <p>It follows the implementation of the Federal Council of Improvement of Environment.</p> <p>It provides recommendations related to environment plans of the Province.</p>

		concerned, the Manager of Environmental Police and representatives from other authorities.	It coordinates between competent to implement related to the protection (Regulation number (1) of and Competences of the and Improvement of Environment
Environmental Police		It is administratively linked to the Civil Defense Department of the Ministry of Interior and technically to the Ministry of Environment and its Provincial branches.	It has several powers related matters such as investigating crimes and executing administrative decisions related to environmental Internal Regulation number Environmental Police issued Federal Ministry of Interior).
Departments administered by a Director General	Technical Department	Division of Water Supervision and Evaluation	See Article 3(First) of number (1) of 2011
		Division of Air and Noise Supervision	
		Division of Industrial Activities Supervision and Evaluation	
		Division of Supervision on Activities related to Services	
		Marshes and Wetlands Division	
		Division of Soil Supervision and Evaluation	
		Division of Supervision on Chemicals and Evaluation of Polluted Areas	
		Division of the Usages of Lands and Evaluation of Environmental Effects	
		Sustainable Development Division	
		Biological Diversity Division	
	Legal Department	Division of Rights	See Article 4(First) of number (1) of 2011
		International Treaties Division	
		Division of Legislations and Consultation	

	Planning and Follow-up Department	Planning and Statistics Division	See Article 5(First) of Regulation number (1) of 2011
		Division of Follow-up	
		Division of Development	
		Information Technology Division	
		Division of Administration	
		Interpretation Division	
	Department of Administration and Finance	Human Resources Division	See Article 6(First) of Regulation number (1) of 2011
		Services Division	
		Engineering Division	
		Division of Finance	
	Department of Environmental Awareness and Media	Division of Environmental Education	See Article 7(First) of Regulation number (1) of 2011
		Division of Environmental Awareness	
		Division of Media	
	Radiation Protection Centre	Radiation Supervision Division	See Article 14(First) of Regulation number (1) of 2011
		Radiation Research Division	
		Division on Monitoring Personal Exposure to Radiation	
		Division of Administration and Finance	
		Legal Unit	
		Environmental Awareness and Radiation Unit	
	Department of Environmental Protection and Improvement in Northern Iraq – Located in Kirkuk Province	Department of Environment in Ninawa Province	For the competence of these departments, see Article 14 of Regulation number (1) of 2011. Regarding the powers of these departments, see Article 15 of Regulation number (1) of 2011.
Department of Environment in Kirkuk Province			
Department of Environment in Salah-Alden Province			

	Department of Environmental Protection and Improvement in the Middle Euphrates Region of Iraq - Located in Babel Province	Department of Environment in Najaf Province	See above
		Department of Environment in Karbala Province	
		Department of Environment in Babel Province	
		Department of Environment in Muthanna Province	
		Department of Environment in Qadisiya Province	
	Department of Environmental Protection and Improvement in the Central Region of Iraq – Located in Baghdad	Department of Environment in Baghdad Province	See above
		Department of Environment in Anbar Province	
		Department of Environment in Dyala Province	
	Department of Environmental Protection and Improvement in Southern Iraq – Located in Basra Province	Department of Environment in Basra Province	See above
		Department of Environment in Meesan Province	
		Department of Environment in Thi-qar Province	
		Department of Environment in Waset Province	
Divisions administered by a Manager and Linked to the Minister	Minister Office	Follow-up and Coordination Unit	See Article 13(First) number (1) of 2011
		Unit on the Affairs of the Council of the Ministry of Environment	
		Computer and Internet Unit	
		Ceremonies and Guests Receiving Unit	
		Confidential Correspondence Unit	
	The Central Laboratory of Environment	Planning and Follow-up Unit	
		Unit of Advanced Analysis of Chemicals	
		Unit of Regular Analysis of Chemicals	
		Microbiology Analysis Unit	

		Biological Analysis Unit	See Article 8(First) of Law number (1) of 2011	
		Unit of Administration and Finance		
		Laboratory Information Management System		
		Maintenance Unit		
	Division of Internal Auditing and Supervision	Spending Auditing Unit		
		Investment Budget Auditing Unit		
		Warehouses Auditing Unit		
		Salaries Auditing Unit		
		Records Auditing Unit		
	Public Relations Division	Photographing and Archiving Unit		See Article 9(First) of Law number (1) of 2011
		Internet and External Communications Unit		
	International Environmental Relations Division	International Cooperation Unit		See Article 10(First) of Law number (1) of 2011
		Bilateral Treaties Unit		
		Multilateral Treaties Unit		
		Deputations Unit		
	Division of the Council of the Protection and Improvement of Environment	Unit on the Affairs of the Council of the Protection and Improvement of Environment		See Article 11(First) of Law number (1) of 2011
		Unit on the Affairs of the Provincial Councils of the Protection and Improvement of Environment		
	Division of Contacts	Contacts Unit		See Article 12(First) of Law number (1) of 2011
		Follow-up Unit		
		Information and Archiving Unit		

Source: Author's compilation based on Law number (27) of 2009 on the Protection and Improvement of Environment, Law number (37) of 2008 of the Ministry of Environment, Regulation number (2) of 2010 on the Composition and Functions of the Council of the Ministry of Environment and Internal Regulation number (1) of 2011 on the Composition and Functions of the Ministry of Environment.

Table (2): Summary of the Main Official Environmental Institutes in Iraq	
Level of Government	Institutes and Bodies
Federal Level	<ul style="list-style-type: none"> - Federal Parliament (legislative and supervisory powers) - Ministry of Health and Environment (website: http://www.moen.gov.iq/) <ul style="list-style-type: none"> ● Federal Council of the Protection and Improvement of Environment (linked to the Ministry of Health and Environment) - Environmental Police
Regional Level (Kurdistan)	<ul style="list-style-type: none"> - National Council of Kurdistan (legislative powers) - Board of Environmental Protection and Improvement of Kurdistan Region, which includes the Provinces of Kurdistan (website: https://gov.krd/english/government/entities/boe/) <ul style="list-style-type: none"> ● Council of the Protection and Improvement of Environment in Kurdistan Region (linked to the Board of Environmental Protection and Improvement of Kurdistan Region) <ul style="list-style-type: none"> ○ Councils of the Protection and Improvement of Environment in each Province (linked to the Council of the Protection and Improvement of Environment in Kurdistan Region)
Provincial Level	<ul style="list-style-type: none"> - Provincial Councils (legislative and supervisory powers) - District Councils - Council of the Protection and Improvement of Environment in the Province (linked to the Board of Environmental Protection and Improvement of Environment) - Regional and Provincial branches of the Federal Ministry of Health and Environment - Environmental Police

Source: Author's compilation based on the relevant Iraqi legislations.

Table (3): The Main Environmental Legislations in Iraq

Level of Governments	Legislations
<p>Legislations related to the federal and provincial levels of governance</p>	<ul style="list-style-type: none"> - Law number (37) of 2008 of the Ministry of Environment, adopted by the Representatives of Iraq, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4142 on 25 January 2010. - Law number (27) of 2009 on the Protection and Improvement of Environment, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4142 on 25 January 2010. - Regulation number (2) of 2010 on the Composition and Functions of the Council of Environment issued by the Federal Minister of Environment, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4152 on 10 May 2010. - Internal Regulation number (1) of 2011 on the Composition and Functions of the Ministry of Environment, issued by the Federal Minister of Environment, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4211 on 3 October 2011. - Regulation number (1) of 2013 of the Environmental Protection Fund, issued by the Minister of Environment, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4328 on 7 July 2014. - Regulation number (2) of 2014 on the Protection of Environment from Pollution, issued by the Federal Minister of Environment, published by at the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4328 on 7 July 2014. - Internal Regulation number (1) of 2015 of the Environmental Police issued by the Minister of Interior, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4475 on 2 January 2018. - Law number (83) of 2018 on Irrigation, adopted by the House of Representatives, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4475 on 2 January 2018. - Law number (50) of 2008 of the Ministry of Water Resources, adopted by the Representatives of Iraq, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4475 on 2 January 2018. - See also the table on the (draft) laws and regulations related to environment, Ministry of Environment, <i>Halat Albiaa fi Al-Iraq fi 2017</i> (Report on the Environment in Iraq in 2017), 2017, pp. 349-350. Available at the website of the Ministry of Environment <http://www.moen.gov.iq/>

<p>Laws and Regulations issued at Kurdistan level</p>	<ul style="list-style-type: none"> - Law number (8) of 2008 on the Protection and Improvement of Environment of Iraq, enacted in 2008 by the National Council of Kurdistan Region of Iraq, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 90 on 8 November 2008. - Law number (3) of 2010 of the Board of Environmental Protection and Improvement of Kurdistan Region of Iraq, adopted by the National Council of Kurdistan, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 114 on 2 August 2010. - Regulation number (2) of 2009 of Environmental Protection and Improvement of Kurdistan Region of Iraq, issued by the Council of the Protection and Improvement of Environment of Kurdistan Region, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 100 on 2009. - For further details on environmental legislations see Rashan Aso Ali and Sheldeneh of Environmental Legislations in Kurdistan Region of Iraq, 2015. Available at: <http://www.natureiraq.org/uploads/5/2/9/9/52997379/arabic.pdf>
<p>Legislations related to the provincial level of governance</p>	<ul style="list-style-type: none"> - Law number (21) of 2008 on Provinces that have not Joined a Region (as amended), enacted by the House of Representatives of Iraq, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4070 on 31 March 2008. - Regulation number (1) of 2012 on the Composition and Competences of the Board of Environmental Protection and Improvement of Environment in the Province, issued by the Board of Environmental Protection and Improvement of Environment acting as the President of the Federal Council of the Protection and Improvement of Environment, published in the Iraqi Official Gazette (<i>Alwaqayyi'i</i>) number 4070 on 2012.

Source: Author's compilation based on the Iraqi Legislations Bank <http://iraqid.hjc.iq:8080/identity_search.aspx>

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