

Berlin Accord

April, 30th 2009

A workshop entitled "Implementing the Dead Sea Declaration: Just and Durable Solutions to the Challenges of Governance in Kirkuk" was held in Berlin from 28 to 30 April 2009. The workshop was sponsored by the Friedrich Naumann Foundation for Liberty and attended by political leaders representing all the different components of Kirkuk. The participants agreed on the following:

First: We strongly condemn all acts of violence and terrorism recently committed in Kirkuk. Such acts are considered to be an attack directed at the entire population of Kirkuk and a transgression against the shared sense of humanity and peaceful coexistence of Kirkuk's society. We offer our deepest condolences to the families of the innocent individuals who lost their lives and pray to God for the full recovery of the injured.

Second: We affirm our commitment to the principles and provisions of the Dead Sea Declaration. We commit to implementing it fully and effectively for the benefit of all the peoples of Kirkuk to continue to work diligently through consultative procedures in order to guarantee the implementation of all provisions of the aforementioned declaration.

Third: We acknowledge specifically the importance and value of implementing the power sharing arrangements agreed upon in the 02 December 2007 agreement and reaffirmed in the Dead Sea Declaration, and the text of Article 23 of the Provincial Elections Law.

Fourth: To this effect, it was agreed that the power sharing arrangements with regard to employment in the public sector will be implemented in the manner outlined below:

- 1) Inviting the Provincial Council of Kirkuk to hold an exceptional meeting in the presence of all the lists for the purpose of approving:
 - a. The commitment to put into effect the 02 December 2007 agreement and the Dead Sea Declaration, and supporting the committee set up by Article 23 of the Provincial Elections Law in relation to power sharing.
 - b. The formation of a committee that includes members from all the lists (and the Governor or his representative, and in the presence of a representative from UNAMI). The committee shall take the following actions:

First: Take all technical and scientific steps to collect data relating to the organizational structures of departments and the number of General Directors, as well as Directors and Heads of Departments and of the general population in addition to mentioning specific data about each employee and the position s/he holds.

Second: Rank the positions based on their importance.

Third: Coordinate with the federal authority.

- 2) Adopting and implementing the following principles in relation to power sharing in employment:
 - a. Equality, balance and justice which includes implementation of the ratio 32, 32, 32, 4.
 - b. Guaranteeing the constitutional rights of citizens, especially non-discrimination, i.e. no one shall lose their job as a result of these procedures.
 - c. Competence and specialization.
 - d. Advertisements for job openings shall be posted in a way which makes them available to everyone.
 - e. Proportionality in relation to the demographic reality of the regions.
- 3) Distributing the following leadership positions (Governor, Deputy Governor, Chairman of the Provincial Council) in accordance with the 02 December 2007 agreement and Article 23 of the Provincial Elections Law.
- 4) Distributing the senior positions according to the ratio 32, 32, 32, 4 while taking into consideration the relative importance of those positions.
- 5) Distributing the intermediate and lower positions according to the ratio 32, 32, 32, 4 and the principles mentioned in point (2) above.
- 6) Applying the 32, 32, 32, 4 ratio to government institutions.
- 7) Implementing the sharing process in administrative and security authorities and public sector employment:
 - a. According to a time frame to be agreed upon as soon as possible by the relevant specialized authorities so that it reflects the urgent needs and interests of all the constituents of Kirkuk.
 - b. Coordinating with the relevant authorities (the parliament, the executive authority and the Provincial Council) in order to guarantee the rights of all constituents.
 - c. This shall be guaranteed by the legislative and executive authorities through legal procedures.

Fifth: Notifying the parliamentary committee set up under Article 23 of the contents of the Berlin Accord.

Signed on 30/04/2009

List of Signatories:

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