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Taqadum/Governance Strengthening Project

Local Government Associations Evaluation
and Recommendations
September 30, 2012

TAQADUM/GOVERNANCE STRENGTHENING PROJECT

Local Government Association Assessment and Action Plan September 30, 2012

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I. INTRODUCTION

Local government leagues or associations (LGAs) are voluntary, democratic, and non-governmental organizations are formed to promote stronger and effective local governments. They work primarily in two directions:

- To represent the collective interests of local government to the national government and the international community such as monitoring regulations, legislation and court decisions that may effect the interests of local government, and establish general guidelines for members to follow to ensure and safeguard their common goals and inspirations
- To provide support/services and to ensure local government has capacity to effectively and efficiently carry out its responsibilities such as policymaking, developing laws, regulations and bylaws, providing technical assistance and training, conducting research, preparing studies and supporting projects, and serving as a platform to exchange information and for networking opportunities among members and other interested parties

In Iraq, municipal leadership has not commonly been exposed to the concept of local governance associations and training will both create the demand while building the capacity of potential participants. Given the under-developed potential LGAs have for providing sustainable, institutionalized knowledge centers that encourage revenue generation and improved service provision within provincial governments, Taqadum seeks to build the institutional capacity of LGAs through a variety of activities and mechanisms.

Under Taqadum Objective 1.2 “Capacity building of local government associations”, the project will promote financially self-supporting organizations who provide value-added service to provincial councils. The objective does not focus on a single organization, but seeks to promote capacity among all local government associations. This report details Taqadum’s assessment of existing LGAs as well as the demand for LGAs among provincial council (PC) members.

II. EXECUTIVE SUMMARY

This report assesses PC demand for services that could be rendered by local governance associations, as well as the capacity of LGAs to supply the demanded service. Taqadum conducted interviews with five LGAs and 22 Provincial Council (PC) members. Provincial Councils expressed desire for a range of services for which they would be willing to pay. Given the proper support, LGAs can fill these needs, while simultaneously generating self-sustaining revenues.

Achieving that goal requires several things:

- All parties need to see the possible benefits of LGAs and the various organizational models.
- Political stakeholders need to better understand the potential value of LGAs to provide technical and logistical assistance.
- Political leaders need to clarify legal ambiguities which inhibit the formation of membership associations based on entities (a provincial council, for example) rather than individuals.
- Existing LGAs need significant organizational and technical capacity building, as well as coaching on how to build a fundable organization.

This report details these findings and provides recommendations for further Taqadum/GSP activities under project objective 1.2.

III. PROVINCIAL COUNCIL SURVEY

For this report, Taqadum sought to assess the demand for a local government association as a concept, familiarity with the Iraq Local Governance Association (ILGA) as an organization, demand for services and organized activities, and willingness to pay for services. A short questionnaire was used as the foundation for interviews with 22 PC members representing 10 out of the 15 provinces, not included in regions. For a broader perspective, the survey sought the input from provincial council leaders who were not currently serving in the ILGA.

The following are key findings:

- 100% of Provincial Council members thought there should be an organization to help PCs have a collective voice before the national government.
- 88% of Provincial Council members said they would support paying a local government association for its support.
- 100% of Provincial Council members said technical support was an important need. Key areas of support asked for were:
 - Networking and information sharing on a regional and national basis
 - New PC member orientation
 - Review PC roles and responsibilities
 - PC Organizing- setting agendas, calendar, bylaw review
 - Technical Training- administrative skills, report writing, computer training, financial analysis, internet research
 - Communications Training- developing strategy, organizing media office, press release/conference training, citizen outreach, dealing with the media
 - Meeting Management- planning and scheduling, rules of procedure, facilitation skills
 - Other- leadership, practicing/overseeing power, meeting etiquette

A section of the survey was intended to assess the reach of the ILGA after years of significant USAID support. The following two questions were asked to assess the degree of communications between ILGA and its customers:

- "Have you heard of the Iraq Local Government Association, ILGA?"
 - 63% (14 out of 22) answered affirmatively
- "Have you personally worked with the ILGA on any issue?"
 - 27% (6 out of 22) answered affirmatively

In conclusion, surveyed provincial council members overwhelmingly supported the advocacy role of local government associations. They outlined a range of capacity building opportunities and showed strong support for paying for service. Over 60% of respondents had heard of ILGA and 27% had personally worked with ILGA.

IV. LOCAL GOVERNMENT ASSOCIATION CAPACITY ASSESSMENT

Taqadum assessed the capacity of local government associations to meet Provincial Council service needs. The survey focused on organizational capacity, mission alignment, and technical capacity. The following section summarizes the survey results:

- Five local government associations were identified for this assessment. Associations were assessed on:
- a) Organizational Capacity (membership structure, board structure, and bylaws);
 - b) Legal Standing (NGO registration); and
 - c) Knowledge and Understanding of Local Governance.

The Iraqi Organizations that have similar goals of LGAs assessed were the Baghdadi League (BL), the Iraqi Local Government Association (ILGA), the Commission of Local Councils (CLC), the National League of Local Councils Members (NLLCM), and the National Organization for Developing and Sustain Local Council (NODSLC).

a. Baghdadi League (BL)

Legal Status. The BL is a non-profit organization that has registered under NGO Law 12 of year 2012 (law of non-government organizations). Its registration has expired and the renewal process is underway. BL has completed all the required documents. Currently their request is being processed by the NGO registration office. The BL is headed by Mr. Ali Fadhil Misser and Mr. Abid al Sattar AL Rubaiy as his deputy. Mr. Ali also has the position of an advisor in the Presidency Council of Iraq in addition to his occupation as chair of BL. The BL has approved by-laws in accordance with Law 12 of 2010. The organization operates on provincial level in Baghdad.

Goals. According to the BL's bylaw, the organizational goals are as follows:

- Exposing the brightened cultural, social and folklore element of Baghdad as an ideal symbol for Iraqis in all their diversity to live with.
- Working to embed the spirit of religious and ethical tolerance among citizens and reject all the sectarian and ethical elements and set aside the ideas of terror and violence and adopting the cultural of human rights and respect the opinion of others.
- Hold relationship with all the institutions and organizations inside and outside Iraq for mutual understanding to present all kinds of support for the citizens.
- Holding the entire social, services and cultural activities that contributes in complementing the Baghdadi society. Establishing public library and charitable box to nurture and boosting the society, also, establishing media, scientific, cultural and educational institutions

Based on the information gathered from BL during the interview, it appears that BL is more organizationally focused on improving the lives and circumstances of Baghdadi peoples than on serving as an association for local government structures or officials. However, when the BL was informed of the concept of LGAs by Taqadum advisors, they showed willingness to support the concept of LGAs at a local level if this idea of LGAs does not lead into any conflict with the federal government.

Membership. According to their bylaws, BL membership is based on individuals, not local council entities. The bylaw did not include a General Assembly. According to Mr. Ali, the chair of BL, the General Assembly includes nearly 100 members; the number of individuals on the Board of Directors is 25. Most Board members are either current or former members of local councils.

Organization. BL rents a house in downtown Baghdad and has one voluntarily staff person. According to the bylaws, BL had the following organizational structures:

- Founding Members
- Council of Secretaries
- Board of Directors
- Various committees

BL has equipment including computers, desks, chairs and other stationary.

Finance. Members pay annual fees and some members provide additional contributions.

Activities. BL has performed several activities in the past few years, including holding a workshop for local

council members on Law 21 and organizing several visits and tours for youths to national treasures such as Babil and other archeological sites. The organization also plans to issue a brochure and digital magazine for the purpose of communicating with internal and external partners.

Relationships with Federal and Local Government. BL had good relationships with the federal and local governments, as some of its members are also council members. Also the BL is planning to partner with one federal ministry (Ministry of Human Rights) to hold capacity building program over protecting human rights.

Relationships with International, National and Local NGOs. BL has good relation with local NGOs. BL implemented one program with a Provincial Reconstruction Team in 2010.

b. Iraqi Local Government Association (ILGA)

Legal Status. The ILGA is a non-profit organization that has registered under the 2012 NGO Law 12. Its registration has expired and the renewal process is underway. ILGA has completed all the required documents. Currently their request is being processed by the NGO registration office. ILGA is headed by Ms. Waffa Fadhil. Mr. Salim Motar serves as first deputy and Mr. Rasheed Amin second deputy. Ms. Wafa is a member of the al Muthana Provincial Council. Mr. Salem serves is an al Anbar provincial council member and Mr. Rasheed is a Duhuk provincial council member. ILGA has approved bylaws that follow the 2010 Law 12. ILGA operates nation-wide and had their HQ located in Baghdad.

Goals. According to the ILGA bylaw, the goals of ILGA are as follows:

- Work as an advocate at the national and local level to support effective local governments.
- Build capacity and provide training for members.

Based on the described goals and information gathered, it is clear that ILGA has potential to become a full-fledged LGA. The goals of ILGA are targeted on promoting the status of provincial councils of Iraq through advocacy. There was much less evidence of capacity building activity. ILGA is unique in that it has benefited from years of USAID support. However, despite that investment, there remain serious capacity and governance issues.

Membership. According to the bylaw of ILGA, membership is based on individual membership and not PC entities. The interpretation of the 2010 Law 12 by federal registration office disallows government entities from becoming members of an association. The ILGA general assembly consists of 37 members representing all 18 provinces of Iraq. Every province is represented by two members except Baghdad who is represented by three members. ILGA board of directors consists of 19 members representing all 18 provinces. Boards of directors meet at least once every two months, and AA meets at least once in a year. All minutes recorded and documented.

Organization. ILGA had a rented house in downtown Baghdad, had two paid staff. According to the bylaw, ILGA had the following organizational structures:

- General Assembly
- Board of Directors
- Secretariat
- Various Committees

ILGA has computers, desks, chairs, and a training hall. ILGA issued a brochure and one issue of a magazine. Both materials were circulated to the federal and local governments. ILGA received funding to design a website (www.iraqilga.org), although much of the website is still under construction. ILGA prepared strategic planning for three years (2010-2013) based on the needs of PCs but has not followed through on the plan. Its activities are still ad hoc rather than based on planned steps.

Finance. ILGA generated substantial revenues from provincial councils, with 9 out of 18 councils paying fees since 2010. The Council of Representatives has contributed to ILGA, as have other international NGOs. ILGA does not have financial officer, and has never prepared a budget or does it have any kind of financial procedures or regulations.

Activities. ILGA has held or co-sponsored a number of activities over the past three years since it was established as NGO, often in partnership with other institutions. Activities include:

- Prepared a study on the practical steps and recommendations for decentralization.
- Participated in urban planning workshop held in Amman-Jordan for several local government officials and ILGA board of directors in coordination with UNDP July 2011.
- Drafted a three-year strategic plan for ILGA.
- Participated with CoR in holding national conference on “Determining federal and local authorities” which was held in CoR venue, February 2011. The outcome of the conference was focused on the mechanism of dividing authorities between federal and national government. ILGA was tasked with following up on the outcome of the conference.
- Visited several PCs to discuss issues of interests and challenges facing PCs and worked to find solutions for those challenges.
- Held regular ILGA Board of Directors' meeting in Karbala, February 2011.
- Participated in a series of workshop on amendments for Law 21 under the auspice of the State Ministry of Provincial Affairs.
- Prepared a plan to generate funds for ILGA.
- Held an extraordinary conference in Baghdad, Alwayia Club to respond to the issue of devolving constitutional authorities to provinces for better service delivery.
- Holds continuous meetings with CoR advisors and the Committee of Regions and Provincial Affairs within the CoR.
- Participated in the decentralization conference held in Amman, Jordan, May 2011 under the auspice of the UN-Habitat.
- Participated in national conference in Erbil, Iraq, June 2011 entitled “Improving services on the local level and decentralization”. The conference was under the auspice of UNDP and other international agencies.
- Established a website.
- Members of ILGA participated in study tour to Italy, October 2011. The study was supported by UN-Economics and Social Commission for Weastern Asia (ESCWA). The theme of the study was “The Participation and Local Governance”.
- Members of ILGA participated in study tour to Turkey, November 2011. The study was supported by UN-Habitat. The theme of the study was “Decentralization and Turkish Model of Local Governance”.
- Attended the annual meeting of United Cities and Local Governments (UCLG) in Tehran, Iran, January 2011. The purpose of the meeting was to discuss organizational topics of UCLG and review local government status in middle-east and west Asia.
- Held national conference in collaboration with IRI on the amendments of Law 21 in Erbil, January 2012. This conference was attended by the Committee of Regions and Provincial Affairs of the CoR and broad attendance from the local government.
- Held a workshop on ILGA-LADP networking in coordination with UN-Habitat, February 2012.
- Visited CoR to present local government views and remarks on amendments of Law 21 to the political blocks. Also advocated its views on devolution of authorities with various parties within the CoR, February 2012.
- Attended joint meeting that was held in the CoR on expanding local authorities, February 2012.
- Participated in decentralization conference held in Baghdad, February 2012. The conference was under the auspice of the State Ministry of Provincial Affairs.
- Drafted national plan on devolution of authorities to be presented to CoR.

Thus far, ILGA has focused its effort almost entirely on issues surrounding Law 21.

Relationships with Federal and Local Government. ILGA apparently has good relations with some federal and local government as all board of director or general assembly members are also provincial council members. ILGA has carried out extensive advocacy and lobbying efforts with CoR, COMSEC, and federal ministries.

Relationships with International, National and Local NGOs. ILGA appears to have good relation with local NGOs as it partnered in several occasion with local NGOs. ILGA worked with several international organization and programs operating in Iraq such as LGP, UN-Habitat, UNDP, VNG, TBB, IRI and USIP, although the relationship has not always been positive.

c. National Organization for Developing and Sustain Local Council (NODSLC)

Legal Status. The NODSLC is a non-profit organization and has completed all required steps stipulated by the NGO registration office for registering as NGO. Its application is currently being processed by the NGO registration office. The NODSLC's temporary board is headed by Mr. Jamal Hlail Khalaf, currently the Council Chair of the Al Rasafa District. The NODSLC has their own approved bylaws that comply with Law 12 of 2010 requirements. NODSLC is operating on the provincial level in Baghdad. The NODSLC was supported by USAID-Iraqi Community Action Program (ICAP)-Baghdad.

Goals. According to the NODSLC bylaws, the organizational goals are:

- Advocating the interests of local councils of Baghdad.
- Advocating the interests of ex-members and current members of local councils.
- Building the capacity of local council officials.

Based on the above goals and information gathered from the NODSLC interview, it appears that NODSLC's work is conceptually close to that of an LGA. It may be regarded as basis for future association for local councils. GSP presented the concept of LGAs to NODSLC, which is familiar with LGA models as they met before with the local association counterpart, Union of Municipalities of Marmara Region – UMMR operating in Turkey. Additionally, Mr. Jamal showed willingness to support the concept of LGAs at local level as long as any formation of future LGA will take into consideration the participation of current members of NODSLC.

Membership. According to the bylaws of NODSLC, the membership is based on individuals rather than local councils as entities. According to Mr. Jamal, the chair of NODSLC, the general assembly consists of 38 members and 11 individuals sit on the Board of Directors. All BoD members are current or retired members of local councils.

Organization. NODSLC does not have an office due to lack of financial resources. According to the bylaw, NODSLC has the following organizational structure:

- Founding Members
- General Assembly
- Board of Directors
- Various Committees

NODSLC does not own computers, desks, chairs, or other equipment. The organization relies on voluntarily activities of the members of the organization. NODSLC does not have a secretariat or paid employees.

Finance. Members are paying annual fees and some members contribution in addition to annual fees;

nevertheless payment is not on regular basis.

Activities. NODSLC has held several activities in the past three years, including:

- Held a workshop for local council members on Law 21 (local government law) how this law is regulating authorities among intergovernmental entities.
- Held several meetings for local councils' chairs to discuss issues of mutual interests.

Relationships with Federal and Local Government. NODSLC has positive relation with federal and local government as all of its members are current or retired council members. NODSLC meets occasionally with Baghdad PC members and CoR members.

Relationships with International, National and Local NGOs. NODSLC was technically supported by Iraqi Community Action Program (ICAP)-Baghdad. ICAP assisted NODSLC in connecting them with international organization operating in Turkey for the purpose of exchanging information.

d. Commission of Local Councils (CLC)

Legal Status. CLC is an association of local councils in the Muthanna province. It does not have legal status yet. The commission is working on registering CLC as an NGO. CLC does not have approved bylaws. The association is chaired by Mr. Takleef Kamal Marfij, himself a chair of a local council. CLC operates locally within Muthanna province.

Goals. According to the Mr. Takleef, the chair of CLC, the commission's goals are as follows:

- Advocating the interests of local councils on a local level only
- Networking 12 local councils in Muthanna

CLC's goals are consistent with local government association's advocacy role. Based on the information gathered from CLC during the interview, it appears that CLC's purpose aligns with the concept of LGAs. The organization may be regarded as basis for a future association for local councils on local level.

Membership. CLC membership consists of 12 local council chairs as board of director members and the local council's entire members are automatically general assembly.

Organization. CLC does not have an office due to lack of financial resources. CLC does not have any equipment such as computers, desks, chairs and stationery. CLC, like all the LGAs working on local level, were unaware of the role of the secretariat.

Finance. CLC does not have any financial resources. CLC also did not prepare any financial plan to fund their activities.

Activities. CLC appeared responsive to local council challenges and issues. CLC did not conduct many activities related to advocating local council's interests with national governments. CLC was found to be the weakest association visited in terms of LGA organization.

Relationships with Federal and Local Government. CLC has weak relations with federal government and directorates of federal ministries in the province. Nevertheless, it communicates regularly with the provincial council of Muthanna.

Relationships with International, National and Local NGOs. In 2005, a Dutch expert proposed the idea of creating LGAs in Iraq. Accordingly, the local councils of Muthanna agreed to have an umbrella of local councils

in Muthanna province. Nevertheless, CLC does not have the full idea behind entity-based membership association.

e. National League for Local Councils Members (NLLCM)

Legal Status. NLLCM is an association of Iraqi local council members (except the Kurdistan region and Baghdad). It does not yet have legal status though registration efforts are underway. NLLCM does have approved bylaws. The association is chaired by Mr. Yassin Al Hussaini, secretary general, who is also a member of the local council in the Wasit province. NLLCM operates on the national level based in Wasit province.

Goals. According to Mr. Ali Hameed, a member of NLLCM's board of directors, the goals of the League are as follows:

- Advocating the interests of local councils at national and local levels
- Networking for local council members of 15 provinces (except Kurdistan region)
- Capacity building of local council members

The goals are consistent with local government association's advocacy role. Based on the information gathered from the NLLCM interview, it appears that NLLCM is conceptually close to LGA and it may be regarded as basis for future association for local councils on national level.

Membership. NLLCM membership is consists of 3941 members as general assembly. A committee of 10 members serves as the executive committee and runs the daily activities of NLLCM.

Organization. NLLCM does not have an office due to lack of financial resources and does not have any equipment such as computers, desks, chairs and other stationary. NLLCM, like all the LGAs working on local level, was unaware of the role of a secretariat.

Finance. NLLCM does not have any regular financial resources. Contributions are voluntary. Also, NLLCM did not have a financial plan/budget to fund their activities.

Activities. NLLCM spoke of several activities and a regular lobbying effort. NLLCM activities related to advocating for local council interests to national and provincial governments. The League made visits to several provinces to unify the voices and policy of local councils.

Relationships with Federal and Local Government. NLLCM communicates with the federal government on issues effecting local governments like that of Law 21 and Law 36.

Relationships with International, National and Local NGOs. According to the NLLCM introductory brochure, the league has worked with CHF, IRD, RTI, IRI, and Mercy Corps in Iraq.

V. LOCAL GOVERNEMENT ASSOCIATIONS CONSTRAINTS AND CONCLUSIONS

While several organizations provide advocacy service to local government, in some fashion or another, each organization has several key weaknesses. These constraints include:

- *Legal Status.* No organization is currently registered, although several organizations are renewing expired registration.
- *Lack of entity based membership.* Law 12 (NGO law) is interpreted to preclude entities such as provincial councils from being members. This constraint reduces potential financial support and causes problems of membership if there is significant election turnover.

- Lack of understanding and assimilation of the principle of associations/memberships-entities associations
- No understanding of the separate functions, roles, or responsibilities of the Boards of Directors and Executive Directors
- Poor financial controls
- Weak or non-existent secretariat
- Weak or no communication strategy
- Weak financial and bookkeeping organization
- Weak understanding of the concept and principle of LGAs
- Donor dependency and/or ad hoc fundraising, although ILGA has performed best in this area

As a result, there is no single organization has shown the capacity to assume the role as "the" local governance association.

VI. RECOMMENDATIONS

These recommendations are designed for the next twelve months, after which LGA capacity and progress would again be assessed. This report recommends that Taqadum/GSP complete the following actions:

- 1) Bring together all LGA organizations together with SMOPA, interested COR and PC members to 1) build understanding of benefits of LGA, 2) explore Iraqi organization needs, 3) build consensus among PC s to form sustainable rather than ad hoc LGAs
- 2) As much as is practical, work with all relevant LGAs. Of the five organizations surveyed, four have an organizational mission linked to local government (provincial or district). Groups are local, national, or hybrid. Meeting provincial council demand for service may require a local, regional or national approach, so each organization is potentially relevant.
- 3) As much as is practical, offer basic NGO capacity building assistance. A series of workshops can be held to provide NGO capacity tools on topics such as NGO registration, organizational governance, finance and operations. The documents from the workshops could serve as the basis for a manual for future local government associations.
- 4) Provide partnership/mentoring for willing organizations. As Taqadum implements its capacity building programming, partner LGAs could be invited to join as observers, or co-hosts. Materials, tools and techniques could be transferred to LGAs helping build capacity to provide future service. As a result of PC member feedback, Taqadum is working to provide regional and national information sharing opportunities for provincial council members on national legislation, on issues like land control or education, or on best practices and information sharing. These are ideal partnership opportunities where partner organizations can build their own skills.
- 5) Provide advocacy training assistance. A workshop can be held to help members understand the basics of advocacy - issue identification, education, mobilization, messaging, dealing with legislative bodies, grass roots approaches to national advocacy.
- 6) Provide marketing assistance. Hands on workshop can be offered that seeks to help LGAs approach provincial councils and donors for funds. Demonstrate which key documents are necessary to show sustainability. Provide technical expertise on developing a compelling program description, and brochures. Demonstrate the value of linking PC contributions with valuable service.

Annex - Iraqi LGA Contacts

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