

CHARTER OF THE KURDISTAN NATIONAL CONGRESS



Recommended by:

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KURDISTAN NATIONAL CONGRESS

We, the Kurdistan National Congress, are an unarmed organisation and as an umbrella organisation above party lines working in diplomatic ways to create **KURDISH UNITY** and to put the case of an **INDEPENDENT KURDISTAN** in the agenda of the great powers and the international organisations and do away with the unfair and artificial borders that cut Kurdistan into five pieces (since the First World War).

Kurdistan National Congress was established 15 years ago (14 April 1985) and during the past 11 years had four General Meetings in Paris and London in 1989, 1991, 1996 and 1998. Every time hundreds of the Kurdish politicians, scientists, writers, poets and Kurdish party's representatives attended the KNC conferences from all parts of Kurdistan. KNC conferences received thousands of messages and supports from all over the world; one example is the Prime Minister of the U.K. Mr. Tony Blair.

KNC is unique, because Kurdish organisations and individuals from all parts and from left to right ideologies and levels have one aim to create a Kurdish state and to protect the unity, peace and settlement between the Kurds.

We invite the Kurdish nation to participate with the KNC and its organisations to serve the unity, peace and the **KURDISH NATIONAL SECURITY** interests, which are much more important than any individual, tribal, region's, organisation's and party's interests.

Article One: -

Aims of the Kurdistan national congress:

1. To save the Kurdish Nation from the threat of national annihilation, genocide, successive massacres, massive deportations, permanent wars, military occupation, continual humiliation, systematic repressions, coercive economic, social and cultural foreign domination.
2. Liberate our homeland Kurdistan from foreign occupation.
3. To establish favourable circumstances which enable the Kurdish people to freely determine their own destiny, self-determination, and political, economic, social and cultural independence without interference of foreign powers
4. To realize the sovereignty of the Kurdish people in their own historical homeland, to create a state of Kurdistan and to elect democratically the legitimate representatives of the Kurdish people in a Kurdistan National Congress.
5. To exploit our national resources specially the oil, for independence and development of Kurdistan.

6. To re-establish peace and human dignity in Kurdistan, and realize the fundamental rights and freedom of all the citizens of Kurdistan without any discrimination regarding race, ethnic, religion, sex or social backgrounds.
7. To give ethnic, religious, and sectarian minorities, who live in Kurdistan, their rights within limitation of the aims and principles of this Charter?
8. To remove traces of ignorance and exploitation, and change the national structure resulted from foreign occupation.
9. To develop all spheres of Kurdistan.
10. To find relations based on harmony, peace and security with all the neighbouring nations on the ground of equality and mutual interests.
11. To respect international conventions and treaties, and participate in the promotion of regional and international peace and security.
12. To participate to build up the peace and security in the area, and the world.
13. Kurdistan is a historical, geographical and civilisational country, never to give up any part of it, and to refuse every act, agreement or treaty, that its aims are to divide or occupy Kurdistan. The borders of Kurdistan as mentioned by Badlisi in his book Sharafnamah in 1596-1597.

In order to achieve these aims Kurdistan National Congress should:

- A. Proclaim that the right of self-determination of the Kurdish people means: the right of independence and creation of a state on the integral territories of their homeland Kurdistan.
- B. Unify all the national potentials and capabilities of all opinions in order to liberate Kurdistan from foreign colonization and occupation with the right of using all possible means.
- C. Favour negotiations and relations, based on the right of an independent Kurdistan and equal rights of the Kurdish nation, with all the neighbouring nations, and develop relations with all the nations based on equality, non interference in national affairs, with the aim of promoting regional and international peace, security and stability.
- D. Obtain international support for the Kurdistan national liberation movement, international recognition of the legitimate right of the Kurdish people for self-determination, and creation of an independent non-aligned democratic Kurdistan State.
- E. Develop fraternal relations among all Kurdistan citizens and all political, cultural and social organizations, and prepare appropriate circumstances for them to actively participate in the struggle for independence.
- F. Find a basic democratic foundation in order that the Kurdistan citizens shall be able to elect their legitimate representatives in Kurdistan National Congress and to prepare adequate domestic and international conditions for the creation of an independent democratic and non-aligned state in Kurdistan.
- G. Become the highest central institution of Kurdistan where all political and non-political organizations and patriotic personalities can air their views and unite efforts to achieve these aims.
- H. Be recognized as the sole legitimate authority of Kurdistan by all nations, states, intergovernmental and regional organizations, and above all the United Nations.

Article Two: -

Principles:

In pursuit of the aims stated in Article 1, Kurdistan National Congress and its members shall act in accordance with the following principles:

1. Kurdistan National Congress shall derive its decisions and laws from the Kurdish people and their believes.
2. Kurdistan National Congress is based on the principle that the Kurdish people have the right of self - determination, the right to choose their representatives democratically and the right to have their national government.
3. Kurdistan National Congress is based on the principle that the Kurdish people have the right to control their homeland and national resources.
4. Kurdistan National Congress is based on the principle of equality for all its members.
5. All Members (Members of Kurdistan National Congress) in order to protect their Kurdistan National Congress privileges shall fulfil in a good faith their obligations in accordance with the present Charter.
6. All Members shall participate actively in the Kurdistan national liberation movement aiming at creating an independent state in Kurdistan, they shall participate in preparation and discussion of national policies, explain their activities and those of Kurdistan National Congress to citizens and help them within limitations of their capacities.
7. All Members shall end their relationships with the authorities of states, which are colonizing and occupying Kurdistan. Only after the agreement and the recommendation of Kurdistan National Congress a Member or Members in pursuing the aims of the present Charter, might enter in relationship with the authorities of these States.
8. Kurdistan National Congress shall not establish relations with the States occupying Kurdistan unless these States recognize officially the right of Kurdistan to be independent.
9. All Members shall avoid in their conducts threat or use of force of any type against each other.
10. All Members shall give Kurdistan National Congress every assistance in any action it takes in accordance with the present Charter and shall not provide assistance to any other party against which Kurdistan National Congress may take an action.
11. Kurdistan National Congress shall ensure that the citizens, organizations and associations, which have not yet agreed on a Kurdistan National Congress charter, act in accordance with these principles so far as it may be necessary to maintain the national unity and promote the struggle for the independence of Kurdistan.

Article Three: -

Membership:

1. Members shall be of Kurdish origin, or of origin belonging to the ethnic or religious minorities who live in Kurdistan and have a profound association with Kurdistan.
2. Every citizen, male or female, of the eligible age of 25 or more who meets the above condition (Article 3 paragraph 1) and accepts the obligations outlined in this Charter has the right to be elected as a Member in Kurdistan National Congress. All citizens are eligible to vote at 18.
3. Kurdistan National Congress shall consist of 250 members. The term of office is 3 years. A former Member may be re-elected for several times.
4. Due to the unusual situation resulted from foreign occupation of Kurdistan and the iMemberossibility of holding free and democratic election inside Kurdistan, election shall take

place in exile during the annual meetings of Kurdistan National Congress. Members shall be elected among candidates who represent Kurdish parties, organizations, associations and patriotic personalities, and win majority votes required for the election of a Member. Minimum number of votes needed for electing a Member shall be specified at the beginning of each session of election. A candidate who lives under occupation in Kurdistan and cannot attend annual meetings of Kurdistan National Congress, for reasons beyond his/her control, shall be elected by a secret procedure. Kurdistan National Congress shall lay down regulations regarding holding secret election for candidates unable to attend.

5. All Kurdistan National Congress candidates shall submit their written candidacy, together with a brief curriculum vita, to the president of Kurdistan National Congress before the beginning of the session.

6. Voting shall be voluntary and voters may choose only one or up to three candidates giving priority in an order of preference.

7. Whenever normal, free and democratic circumstances were to be found in Kurdistan election shall be by a popular campaign where a candidate may campaign for the constituency in which she/he lives or another of her/his choice.

8. A Member against whom Kurdistan National Congress has taken a disciplinary action shall have his/her Kurdistan National Congress privileges suspended. These privileges may be restored in an annual meeting of Kurdistan National Congress.

9. A Member who shall persistently violate the principles outlined in this Charter may be expelled from Kurdistan National Congress by a decision of Kurdistan National Congress.

10. A Member shall be expelled from office if she / he proved guilty of bribery, fraud, indecency, treachery and neglect of duty.

11. Members are not allowed to use force, violation or threat against each other. Any Member violates this principle shall face automatic dismissal.

Article Four: -

Bodies of Kurdistan National Congress:

The fundamental and permanent bodies of the Kurdistan National Congress are:

- a. Assembly of the Kurdistan National Congress, President.
- b. Government, Internal Affairs Committee, External Affairs.
- c. Committee, Committee, Media & Communication Committee.
- d. Economic and Financial Committee, Juridical and Legislative.
- e. Committee, Social and Health Committee, Educational and Cultural.
- f. Committee and the Secretariat.

2. Other interim committees may be formed whenever necessary.

Article Five: -

Assembly of Kurdistan National Congress:

1. The Assembly of Kurdistan National Congress shall consist of all Members, invited observers, and members of Secretariat.
2. Kurdistan National Congress shall hold regular annual meetings. The President would fix either in a previous meeting or location and time of each session. Duration of each session shall be determined at the beginning of each Kurdistan National Congress session.
3. Extraordinary meetings may be called by the President, or upon a written request by majority

Members.

4. Kurdistan National Congress shall lay down its own rules and procedures.
5. Each Member has one vote. The President does not cast a vote and stays neutral in meetings.
6. The Assembly of Kurdistan National Congress being the highest legislative body shall be eMemberowered to lay down national laws, policy and budget, and shall be in a position to ratify international agreements, treaties and conventions.
7. The Assembly of Kurdistan National Congress shall make decisions on important issues by 75% majority votes, taking into account votes of unattended Members submitted in writing.
8. Kurdistan National Congress decisions on other matters shall be made by the majority Members, taking into account votes of unattended Members submitted in writing.
9. Kurdistan National Congress may debate any question concerning Kurdistan's national and international interests, or any matters within the scope of this Charter. It may also debate capacities and duties of the President or any Committees mentioned in this Charter.
10. Kurdistan National Congress shall have to receive and consider, in each annual session, reports from the President and the permanent Committees. Important reports from Kurdish and foreign sources shall also be received and considered by Kurdistan National Congress upon the decision of the majority Members or the recommendation of the President.

Article Six: -

The President:

1. The President shall be elected among the Members by 51% majority votes of all Members. If no candidate for presidency obtains this majority the election shall be held again for the two candidates who score the highest votes. Votes of the unattended candidates submitted in writing will be taken into account.
2. The President shall be elected by a secret ballot for a term of three years in office. S/he may be re-elected for a second term only. S/he must possess a good personal behaviour and be a devoted patriot with high intelligence and knowledge of Kurdistan's national and international affairs.
3. While in office the President shall not be entitled to sit on any Kurdistan National Congress (permanent) Committee.
4. Kurdistan National Congress shall elect between the Members two vice- presidents to assist presidential tasks and duties. The two vice-presidents may be ordinary Members or members of Kurdistan National Congress Committees.
5. The President shall work towards achieving the mandate given to him/her in this Charter, and actively work to fulfil the objectives and principles of Kurdistan National Congress. He shall present each year an annual report to Kurdistan National Congress.
6. The President shall co-ordinate his works in close relationship with the permanent Committees. In normal circumstances, s/he shall meet the Committees chairpersons at least four times a year.
7. The President shall represent the highest legislative authority in Kurdistan. Kurdistan National Congress shall entrust him with this authority. She/he will be eMemberowered, with the consent of Kurdistan National Congress, to issue decrees concerning national policies, developmental plans, national budget, and approval of international agreements and treaties.
- 8- The President shall act as head of state and government in national and international affairs.

Article Seven: -

The Government:

1. A national Government of Kurdistan shall be created after the preparation of basic and necessary conditions for its foundation.
2. The President of Kurdistan National Congress shall give a Member authority to form a national government. The head of government then shall select ministers taking into consideration the highest national interests.
3. After the selection of the head of government and ministers, the head of government shall request the president of Kurdistan National Congress to entrust him/her the legitimacy and executive authority of the government.
4. The legitimacy of the government and the continuity of its executive authority depend on the approval of the government policy by majority of the KNC Deputies. 5. Kurdistan National Congress shall define the authority, power and form of the government, with the consent of the President and prior to his/her announcement of government, taking into account Kurdistan's national and international circumstances.

Article Eight: -

Permanent Committees:

1. The following Committees shall be permanent bodies of Kurdistan National Congress: Internal Affairs Committee, External Affairs Committee, Committee, Media & Communication Committee, Economic and Financial Committee, Juridical and Legislative Committee, Social and Health Committee, Educational and Cultural Committee, and the Secretariat.
2. Each Committee shall be composed of 3-7 members. Members shall be elected among the Members for a term of 3 years. Members might be re-elected for several terms.
3. Kurdistan National Congress shall elect a chairperson for each Committee. The appointment shall be based on the special qualifications, knowledge, ability and seniority of the elected chairperson for the Committee concerned.
4. The Committees shall be consultative bodies and executive powers of Kurdistan National Congress and the President. The Committees shall act as part of, and assistance to Kurdistan National Congress, not as substitutes for it.
5. The Committees' functions and duties shall be assigned according to each Committee's specialization. The Committees can set their own rules and procedures according to their specialization and the terms of this Charter.
6. The Committees shall act in close relationship with each other in order to co-ordinate and co-operate their works. Two or more Committees might decide to create an ad hoc joint committee.
7. Each Committee shall present each year two annual reports one to the President and one to Kurdistan National Congress.
8. The permanent Committees shall be executive bodies for laws, jurisdictions, policies, and plans of Kurdistan National Congress under the supervision of the President of Kurdistan National Congress until a national Government is formed.
9. The executive role of the Permanent Committees shall end automatically after the creation of the first National Government and its recognition by Kurdistan National Congress. The Government then shall be empowered with the executive mandate. The Committees will then continue their work in the legislative in order to fulfil the obligations entrusted to them.

Article Nine: -

Secretariat:

1. The Secretariat members shall be coMemberosed of technical staff specialized in secretariat affairs. The Secretariat staffs are not Members.
2. The Secretariat shall be a permanent body of Kurdistan National Congress. Its staff shall give all the secretariat and organizational services required for the well conduct of the annual and other sessions of Kurdistan National Congress.
3. The Secretariat shall act as a permanent servicing office for the President and the Committees.
4. A Director of Secretariat shall be appointed among the staff. Her/his task shall be the administration of services and secretariat activities including the affairs of the staff. The Kurdistan National Congress's library, the administrative equipments, the accommodation of Members during sessions and the necessary expenses of Kurdistan National Congress functions.

Article Ten: -

Modification of Charter:

1. This Charter may be modified only after the consent of three quarters of the Members.
2. The aims of Kurdistan National Congress, which are the basic constitutional elements, cannot be modified except by a popular plebiscite after obtaining the national independence and the creation of a State of Kurdistan.

Article Eleven: -

Constitutional Structure:

1. This Charter shall be the principal law in Kurdistan and shall be applied in all its regions until the final constitution of a Kurdistan State shall be announced and approved by the people.
2. This Charter shall nullify all constitutions and laws applied in Kurdistan by the occupying foreign States.
3. This Charter shall be effective after its ratification by Kurdistan National Congress.
4. This Charter shall be published in the official newspaper and in the Kurdish and international newspapers. All those who are concerned shall be informed.

