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Compensation for those affected by the military operations and military mistakes and terrorist operations Law	Legislation Title
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Based

The name of the People Presidential Council Based on what passed the House of Representatives in accordance with the provisions of subsection (I) of Article (61) and the provisions of paragraph (a) and the legal period set forth in item (v) of :Article 138 of [the](#) Constitution. Issued the following law

Article 1

This law aims to compensate every natural person has been harmed as a result of military operations and military errors and terrorist operations, and determine the damage and gravity foundations and compensated for, and how .to claim it

Article 2

It includes compensation stipulated in this law damages of: First, martyrdom and loss due to the operations mentioned in this law. Second, total or partial disability based on the medical committee competent report. Third, injuries and other situations that require temporary treatment on the report of the medical committee competent in .this field. Fourth: damage to property. Fifth: job-related damage and study

Article 3

:Established under this law
 First: The central committee called (the Central Commission for compensation for those affected by the military .operations and military errors and terrorist operations) and be based in Baghdad and linked to the premiership
 Second, sub-committees in Baghdad, and the Committee in the Kurdistan region, and the Commission in all region will be formed, and the Commission in each province irregular province, called (the Sub-Commission to

compensate those affected by the military operations and military errors and terrorist operations), and the right of the Subcommittee open offices in areas where the need to find, with the consent of the Central Committee

Article 4

:First: the Central Committee set forth in item form (I) of Article (3) of the Act as follows -

- A - judge of the first category to be nominated by the Supreme Judicial Council President
- B. representative of the Ministry of Defense in the function of a member of the Director of
- C representative Interior Ministry job in member Director
- d) a representative of the Ministry of Finance function in member Director)
- e) a representative of the Ministry of Justice the function of the year a member of the)
- Director-and-a representative of the Ministry of Health function in member director
- g) a representative of the Ministry of Labour and Social Affairs, the function of a member of)
- general manager of
- h - A representative of the Ministry of Human Rights function in member director
- i) a representative of the Kurdistan region and each region will be shaped member)
- function of general manager

Secondly, the Commission may enlist the expertise and competence of government departments or outside to facilitate their work, according to the rewards determined by a decision of the Ministry of Finance

.Thirdly: the Central Committee Secretariat Office includes a number of staff Tnsabhm the Ministry of Finance

Article 5

First: The Central Committee holds the following: Tasks

- a. Ratify the recommendations of the sub-committees relating to compensate property and missing or modified or abolished after the appeal period provided for in Article passage (7) of the Act
- B. Deciding on the objections to the recommendations of the sub-committees filed by affected or their parents or the Ministry of Finance within thirty (30) days from the date recorded in the incoming Commission
- C. Raise decisions on compensation after approval, and in paragraph (a) of this Article to the Ministry of Finance during a maximum period of sixty (60) days from the date of approval of the Central Committee's decision for the disbursement of the amounts of compensation

Secondly: a. Central Committee proceeds with its work within three months from the effective date of the law and meets at least once each week at the invitation of its president or his representative and the presence of the majority of Members

- B. The Central Committee shall issue its decisions by an absolute majority of its members in the case of an equality of votes, which is likely to side with the voice of the president

Article 6

:First, make up the sub-committees set forth in item (ii) of Article (3) of the Act as follows

- a. Rate judge at least for the second class to be nominated by the President of the Appeal region president
- B. A representative of the Ministry of Defense director-level member
- c. A representative of the Ministry of the Interior of Director member
- D.mmthel the Ministry of Finance director-level member
- H.mmthel for the Ministry of Justice director of real estate registration in the governorate as a member and .mmthel by the Ministry of Health director-level member
- g. A representative of the Ministry of Labour and Social Affairs of Director member
- h. A representative of the Ministry of Human Rights of Director member
- i. A representative of the province of Director member

Secondly, the Commission may enlist the expertise and competence of government departments to facilitate its work in accordance with the rewards determined by a decision of the Ministry of Finance

.Third: Each subcommittee Secretariat office includes a number of staff

:Fourth, it holds the sub-committees of the following tasks

- .a .astelam requests affected or their families
- .b. Audit in compensation transactions
- C. Inventory of the damage and determine the magnitude of the damage in the light of the foundations to be prepared by the Ministry of Finance on the basis of the provisions of Article (15) item (I) of this law
- D. Make recommendations to requests for compensation for property and missing persons to the Central Committee within (15) fifteen days from the date of issue of the approval
- E. Compensation issue decisions in cases of martyrdom and injury within a period not to exceed (60) days from the submission of a completed application legal requirements date
- And. Inform affected or their families and the Ministry of Finance decisions compensation case filed to the Central Committee
- Fifth: a. Sub-Committee shall meet at least twice each week at the invitation of its president or his representative and the presence of the majority of Members
- B. The decisions of the Commission by an absolute majority of its members in the case of an equality of votes, which is likely to side with the voice of the president

Article 7

The victim or his family or the Ministry of Finance to object to the recommendations of the sub-committees of the Central Committee during the thirty (30) days starting from the day following the date of notification

Article 8

May not be combined compensation stipulated in this Law and compensation for related damages, according to the law and in another case the victim for compensation lower than it deserves under this law gives the difference between what is and what deserved Exchange under the Act

Article 9

- First: those covered by grants to the provisions of this law of members of the armed forces and internal security :((forces and other security agencies ((from the permanent staffing and contracts
- .A - for those with the martyr amount of \$ (5,000,000) five million dinars
 - .B - those injury deficit (75% - 100 %) amount of (5000000) five million dinars
 - c) those deficit of injury (50% -74%) an amount not less than (2,500,000) two million five hundred thousand dinars and not more than (4500000) four million dinars, and five hundred thousand dinars
 - .d. those injury disability less than 50% of an amount of \$ (2,000,000) million dinars
- :Second: Non-mentioned item (I) of this Article, the following
- .a. For those with an amount of Martyr (3750000) three million seven hundred and fifty thousand dinars
 - B. Those deficit of injury (75% - 100%) amounted to \$ (3750000) three million seven hundred and fifty thousand dinars
 - C. Those deficit of injury (50% -74%) an amount not less than (2,000,000) two million dinars and not more than (3000000) three million dinars
 - D. Those injury less than the deficit (50%) amount of (1750000) million and seven hundred and fifty thousand dinars

Article 10

- :First, they are intended to people with martyr
- .1 Parents
 - .2 Children
 - .3 Girls
 - for sale. The husband or 4

.wives.. 5. Brothers and sisters
 Second, distributes pension to beneficiaries according to the provisions of [the Unified Retirement Law No. 27 of 2006](#) in force average
 .Third, the distribution of grants by inheritance legitimate
 Fourth: the disposal of the share with the martyr of minors to the guardian or legal values that need to be
 .dispensed in their favor

Article 11

It excludes those covered by the provisions of this law from the Unified Retirement Law No. (27) of 2006 as
 :amended and as follows
 First: give back the minister and Badrjtah and special grades and general managers and rank shall be fixed and
 general managers proxy or higher, a pension equivalent to 80% of the last salary, and provisions that were
 .charged
 Second, give behind the martyr of state employees and the public sector and the sector mixed, contractors and
 employees of the armed forces and internal security forces and other security agencies receive a pension equal to
 .the sum of the last salary, and provisions that were charged
 Third, give behind the martyr of volunteers while they are at the gates of volunteer centers for troops armed and
 internal security forces and other security agencies receive a pension equal to the salary and allowances of his
 .peers on appointment
 Fourth: If referred the employee to retire if affected prevent him completely from functional work performance is
 .granted a pension equal to the last salary and allowances that were charged before the injury
 Fifth: If transmit employee retirement at his request as a result of partial disability and with the support of
 specialized medical committee, is granted a pension commensurate with the degree of disability of the last salary
 and allowances that were charged before the date of injury of helplessness. If the actual service of the employee
 .to qualify for entitlement to the highest deficit ratio shall be granted the highest percentage

Article 12

Gives those covered by the provisions of this law of non-state employees and the public sector and mixed sector
 :monthly salary and are as follows
 First: Prescription for people with martyr is equivalent to the minimum pension to the salary set at [the Unified Retirement Law No. \(27\) for the year 2006](#) average increase of 70% on the salary, if the Someone paid a
 .pension for any other reason top salary paid to him
 Second, those who spend hampered by the partial or total disability for work receive a pension commensurate
 .with the degree of disability of the salary mentioned in item (i) of this article

Article 13

Martyr gives people with disability and people with total or partial covered by the provisions of this law a piece
 of residential land that does not have a house or residential land and oblige the ministries concerned with
 .implementation

Article 14

First, be students who have been deprived of the study for reasons related to the subject of this law to school in
 .accordance with the guidelines set by the relevant authorities

Second, is re-staff who were forced to leave their jobs for reasons related to the subject of this law to their jobs or to similar functions to their jobs and payment of their salaries and benefits for the period which they have been forced to drop out of the constantly

Article 15

First: The Ministry of Finance bases and manner of compensation claim based on the recommendations of the Central Committee

.Second: The Ministry of Finance implement the decisions of the Central Committee of the compensation

Article 16

First, solve this law replaces [the two numbered \(10\)](#) and [\(17\) for the year 2004](#) issued by the Council of Ministers

Second, all resolutions shall be canceled and previous instructions relating to compensate those affected by the military operations and military errors and terrorist operations after the entry into force of this law

Article 17

Exempted from the provisions of this law were sentenced (judicial decisions until proven innocent) for crimes of terrorism set forth in the [Anti-Terrorism Law No. \(13\) for the year 2005](#)

Article 18

.The Ministry of Finance may issue instructions to facilitate the implementation of the provisions of this law

Article 19

.(This law is valid from the date (20/3/2003