

In the name of the people,  
The Presidency,

**Decision No. (35)**

Pursuant to what has been approved by the Council of Representatives (The Parliament) in accordance with the provisions of Article 61 (First) and Article 73 (Third) of the Constitution, the President of the Republic decided on 09/09/2015 to issue the following law:

**No. (32) of 2015**

**Passports Law**

**Article 1**

For the purposes of this Law, the following expressions shall have the meanings shown there-against:

- 1. Minister:** Minister of Interior.
- 2. Director General:** the Director General of the General Directorate of Nationality.
- 3. Director:** Passport Director at the Ministry of Interior.
- 4. Passport Director:** Passport Director and Passport Directorate's officers and employees, as well as those who are authorized by the Minister the power to issue travel documents as stipulated by this Law.
- 5. Iraqi citizen:** The person who possess Iraqi nationality under the Nationality Law.
- 6. Competent Officer:** An employee of the Ministry of Foreign Affairs who is authorized by the Passport Officer and who works in Iraqi embassies, diplomatic or consular missions outside the Republic of Iraq.
- 7. Passport:** The document which is issued by the State to the Iraqi for the purpose of traveling outside Iraq or for returning to it.
- 8. Laissez-passers:** The document which is issued by the State to the Iraqi who has lost his passport outside Iraq and to the foreigner who has lost his passport inside Iraq in case that his/her country has no diplomatic representation in Iraq.
- 9. Travel Document:** The document which is issued by the State to travel outside Iraq or to return to it in exceptional circumstances.
- 10. Passport Form:** The electronic information form according to which the passport is issued.

## Article 2

**First:** The passport shall be issued in (4) four types:

- A. Diplomatic passport.
- B. Special passport.
- C. Service passport.
- D. Ordinary passport.

**Second:** Passports Directorate is affiliated with the Ministry of Interior and shall issue all types of passports.

## Article 3

**First:**

- A. A passport shall be issued to every Iraqi independently, in which the bearer's photo shall be fixed and his/her personal data shall be stated. Any addition to the passport is not allowed.
- B. In the passport that shall be issued to the Iraqi whose civil registry record has no family name, the bearer's third name shall be adopted as his/her family name. The bearer's children may adopt that name as their family name in their passports.
- C. No more than one valid passport of the same type may be issued for one person.
- D. It is not permissible to leave Iraq except for those who have a passport, a laissez-passers or a travel document issued under the valid law.

**Second:** the following persons shall be exempted from the provisions of paragraph (D) of Item (First) of this Article:

- A. Those who are exempted under international conventions to which the Republic of Iraq is a party and within the extents of the provisions of such agreements;
- B. Ships or aircraft crew members who arrive in and leave Iraq to complete their trips or to return to their countries after leaving Iraq or terminating their services in it, as well as any employee hired in Iraq as a crew member of a ship or an aircraft.
- C. Nomadic Bedouins whose living conditions require movement across Iraq's land borders.

**Third:** Personal data stored electronically in machine-readable passport-issuance systems and kept in hard copies shall not be viewed or reproduced without the approval of the Director General.

## Article 4

In accordance with the provisions of this Law, the competent officer shall issue, renew or extend the validity of passports of Iraqis living outside Iraq, regardless of the reasons for their presence abroad.

## Article 5

**First:** An Iraqi who has completed (18) eighteen years of age may obtain a passport.

**Second:** A passport may be issued to a person under (18) eighteen years of age with the consent of his/her parent or guardian.

**Third:** In the absence of a parent or a guardian, the Court of Personal Status or the competent Court of First Instance shall consider the application for a passport presented by the persons referred to in Item (Second) of this article.

#### Article 6

**First:** A passport may only be granted to any Iraqi who has been convicted by a final court sentence forbidding his/her travel abroad after the travel ban is lifted by the same department that has issued it.

**Second:** The Minister shall withdraw the Iraqi passport from any Iraqi who has been found guilty of a terrorist crime or an offense that threatens the State's internal or external security and has been imprisoned under a final judicial judgment.

**Third:** Any Iraqi who falls under the provisions of Item (Second) of this Article shall be granted a valid laissez-passers to return to Iraq.

#### Article 7

In accordance with the requirements of the public interest, the Prime Minister may grant non-Iraqi nationals living in Iraq Iraqi passports and withdraw them from these nationals, if necessary, under the approval of the Council of Ministers.

#### Article 8

The Directorate shall collect a fee of (25.000) Twenty Five Thousand Iraqi Dinars or the equivalent amount in foreign currencies for issuing the following:

- A. A passport issued for the first time.
- B. A new passport issued in lieu of a lost or damaged one after the issuance of the competent court decision.
- C. A new passport issued in lieu of a passport whose validity has expired or in case no empty pages left therein.

#### Article 9

**First:** Any Iraqi whose passport is lost or damaged inside Iraq shall register a notification thereof at the Directorate of Passports, any of its governorate departments or the nearest police station.

**Second:** Any Iraqi whose passport is lost or damaged outside Iraq shall register a notification thereof before the competent officer.

**Third:** The competent officer shall be granted the authority to conduct preliminary investigation with the person who has lost or damaged his/her passport, and the results of the investigation shall be sent to the competent authorities for the purpose of taking legal action thereon.

**Fourth:** The Passports Directorate shall invalidate lost or damaged passports.

*(UNOFFICIAL TRANSLATION)*

**Fifth:** The Director General or his authorized representative shall grant a new passport to the Iraqi who has lost or damaged his/her passport for the first time inside or outside Iraq after payment of the fine provided for in Item (First) of Article (10) of this Law.

**Article 10**

**First:** The Passport Directorate shall collect a fine of (250,000) Two Hundred and Fifty Thousand Iraqi Dinars or the equivalent amount in foreign currency from those who, as a result of negligence, have lost or damaged their valid passports for the first time inside or outside Iraq.

**Second:** Anyone who has lost or damaged his valid passport for more than once shall be punished by a fine of no less than (250.000) Two Hundred and Fifty Thousand Iraqi Dinars and no more than (1.000.000) One Million Iraqi Dinars.

**Third:** Any Iraqi living outside Iraq who has lost his valid passport for the second time shall be granted a laissez-passers to return to Iraq. The legal procedures provided for in Item (Second) of this Article shall be taken against him/her.

**Fourth:** Any person, who has been convicted by a final judgment based on the provisions of Paragraph (Second) of this Article, shall not be granted a new passport unless three months have elapsed as from the date of issuance of the judgment. The Minister or his authorized representative may, at their discretion, grant such a person a passport before the said period ends.

**Article 11**

The Misdemeanor Court, within the spatial jurisdiction of which the Passport Directorate or its governorate departments is located, shall have the right to consider the irregularities provided for in Item (First) and (Second) of Article (9) of this Law and to send the investigative documents through electronic correspondence to the Legal Department at the Passport Directorate in order to obtain the official approvals to decide on the subject of granting the passport in question within (30) thirty days.

**Article 12**

**First:** For the purposes of this Law, the Director General shall perform the following duties:

- A. Replacing passports in accordance with the law.
- B. Invalidating passports in the following cases:
  - 1. If it is proved that an Iraqi has abandoned his/her nationality or when it has been withdrawn from him.
  - 2. Loss of a passport after the particulars of which have been communicated to the competent authorities.
  - 3. Expiry of the passport's validity or when its pages are exhausted.
- C. Preventing any person who has a passport from leaving the Republic of Iraq if he/she has been convicted by a judicial decision forbidding his/her travel abroad.
- D. Determining the form and data of the formats of both passport travel ban.

**Second:** The Director General may authorize the Passport Director to perform the tasks stated in Item (First) of this Article.

### Article 13

**First:** The Passport Officer may:

A. Ask person leaving the Republic of Iraq or entering it to present a passport, a laissez-passers or a travel document, and may raise questions regarding the person's identity and movements. This may include the persons mentioned in Item (Second) of Article (3) of this Law.

B. Raise questions about the persons suspected of having concealed documents from him, and he has the right to search such persons and their belongings. Women shall be searched exclusively by a woman.

C. Allow the entry of any land, sea or air means of transport after examining the relevant documents.

**Second:** The document provided for in Item (First) of this Article means the passport, any document, paper, letter, map, personal photograph or any other written or printed materials.

### Article 14

When it becomes evident to the Passport Officer that a person has committed a crime punishable under valid Iraqi laws, he must prevent that person from traveling. He may invalidate his/her travel visa or laissez-passers, provided that such a case is to be presented to the competent investigating judge within (24) twenty four hours.

### Article 15

A term of no less than (3) three years imprisonment shall be imposed on:

1. Anyone who has sold, bought or acquired an Iraqi passport with the intention of using it for purposes contrary to those for which it was issued.
2. Anyone who has damaged, spoiled, defected or invalidated his valid passport in bad faith.
3. Anyone who has left or attempted to leave the Republic of Iraq after being informed that he/she is banned from traveling or departure.
4. Anyone who has left or attempted to leave the Republic of Iraq or has entered or tried to enter it through roads and places other than those designated for examination of relevant documents.

### Article 16

A term of imprisonment of no less than one (1) year and no more than (3) three years shall be imposed on:

**First:** Anyone who has obtained or attempted to obtain a passport taking advantage of the Passport Officer's inattention despite having possession of a valid passport of the same type.

**Second:** Anyone who has intentionally provided in the passport application form or in any procedure related to obtaining a passport a statement or information contrary to the provisions of this law, or has falsified official papers and documents.

#### **Article 17**

Anyone who has incited or assisted any person to commit any of the offenses set forth therein shall be punished by the same penalty as provided for in Articles (15) and (16) of this Law.

#### **Article 18**

**First:** The passport officer shall initiate the criminal action in the crimes stipulated in this Law.

**Second:** If an offense that is punishable under this Law is punishable also by another law, the accused shall be punished by the most severe penalty.

**Third:** A new passport shall not be granted to the person who has been found guilty under Articles (15) and (16) of this Law for the duration of his sentence.

#### **Article 19**

The Passport Directorate shall destroy the files on which passports were issued one year after the date of its entry into force and shall be stored electronically in the database

#### **Article 20**

**First:** The necessary regulations shall be issued to determine the following:

- A. The persons who are granted passports, laissez-passers and travel documents.
- B. The forms of passports, laissez-passers, travel documents, as well as places of issuance, procedures of application and the duration of their validity.
- C. The mechanism of issuing travel documents for foreigners and the form of such documents.
- D. The routes of entering and leaving the Republic of Iraq and points where the respective documents are to be examined.

**Second:** The conditions for granting passports, laissez-passers and travel documents shall be determined by regulations issued by the Minister.

**Third:** The Minister may issue the necessary instructions to facilitate the implementation of the provisions of this aw.

#### **Article 21**

The Passports Law No. (32) of 1999 shall be repealed and the regulations and instructions issued thereunder shall remain effective so as not to conflict with the provisions of this Law until new regulations and instructions are issued to replace or nullify them.

**Article 22**

This Law shall be effective as from the date of its publication in the Official Gazette.

**Fouad Ma'soum**

**President of the Republic**

**Mandating Reasons**

In order to ensure that the Iraqi citizen enjoys his constitutional rights to obtain a passport by facilitating passport procedures, and to ensure freedom of movement, and in line with the new democratic approach, this Law was enacted.