

State Building in Iraq: Policy-Oriented Views Towards Sustainable Democracy

Supervision team

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**Iraq Policy Program (First Round)
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**State Building in Iraq:
Policy-Oriented Views Towards
Sustainable Democracy**

State Building in Iraq ... Policy-Oriented Views Towards Sustainable Democracy

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About the center:

Platform for Sustainable Development is a center registered at NGO Department under the registration number 1S2106012. It is platform for knowledge exchange and dialogue that seeks to nurture positive change.

Vision

We seek to establish a platform for dialogue and policies to contribute to achieving sustainable development goals in Iraq.

Mission

Bridging the gap between the state and society in a way that ensures the realization of the essence of democracy represented by the participation of citizens in the decision-making processes, through training, monitoring, analyzing, researching, raising awareness, and conducting advocacy campaigns.

Strategic Goals

Preparing Youth to fulfill their societal obligations by analyzing root causes of problems, proposing feasible and desirable policy alternatives and advocating for their implementation.

- Presenting statistics and issues that occupy the political and societal scene to reflect a deeper understanding of Iraq's realities
- Analyzing international indicators and exploring the potential for improving Iraq's rankings by providing data-based recommendations
- Encouraging youth to work towards achieving sustainable development goals
- Establishing a network of active, informed, and committed citizens towards Iraq's state-building project

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Overview of Iraq Policy Program

The Iraq Policy Program aims at bridging the gap between youth and decision makers by training the youth on positive change through decision-making. The program empowers participants to develop policy papers and advocacy campaigns, which will enhance governance practices and support the rule of law. This program allows participants to connect with decision makers and to learn about the main challenges and issues faced during the implementation and follow up of public policies. This program provides participants with a realistic analysis of the decision making environment in Iraq, as well as a clear understanding of the opportunities and challenges of change.

The program is based on four Es approach:

- Equip: Helping participants to acquire the basic skills needed for preparing policy papers and effective advocacy campaigns.
- Explore: Explaining 7 important public policies in Iraq, given by established experts who cover institutional frameworks and procedures, implementation, debates surround each public policy and the horizons of reform.
- Engage: Training participants on developing advertising campaigns and coordinating meetings with government officials in order to roll out the first steps of their campaigns.
- Enrich: Mentoring participants to draft their policy briefs in their area of interest in order to enrich public discussions and offer policy alternatives that can help policymakers in addressing existing problems.

The program is based on 100 hours that include the following:

- Intensive training: participants start the program with a 40 hour intensive training that will allow them to master the steps, mechanisms, and skills of scientific research, starting with developing the question, selecting the most suitable research method, collecting and analyzing data, drafting and publishing research, as well as, preparing and implementing advocacy campaigns.

- Seminars: experts explain the different aspects of seven public policies in Iraq: the budget and economic reform, the public sector reform, the energy sector reform, services delivery, fighting corruption, electoral reform and political participation, and women and minorities rights.
- Advocacy campaigns: participants develop advocacy campaigns in one of the above mentioned policies, and then meet face to face with decision makers to commence their campaigns.
- Commencement project: participants shall write policy briefs in their areas of interest under the mentorship of experts of the Iraq policy program.
 - **Skills acquired through the program**
 - Research preparation and publication in general, and policy papers in particular.
 - Advocacy campaigns' preparation and implementation.
 - Networking with peers, stakeholders, and government officials.
 - Highlighting qualifications and studies of fellows on the website psdiraq.org, social media platforms, and printed materials.

Prelude

Iraq policy program aims to train youth on finding policy alternatives that seeks to build democratic institutions and promote democratic practices. Given a sustainable democracy requires strong institutions and active citizens, the title of this book “State building in Iraq... Policy-oriented views towards sustainable democracy,” express clearly the objectives and mechanisms that Iraq Policy Program seeks to promote.

The program trained participants on research cycle by Dr. Masrin al-Shammary, data collection and analysis by Mr. Ghazon al-Manhlawi, and drafting policy papers and advocating for the implementation of policy proposals by Mr. Hashim Al-Rikabi. Training incorporated applications to cement the understanding of concepts and processes explained.

The program also covered 7 important areas of policies, namely public sector reform and budget reforms by Mr. Ali al-Mawlawi, energy reform by Mr. Ali al-Safar, private and banking sector reform by Mr. Ahmad Tabaqchali, electoral reform by Mr. Hashim Al-Rikabi, Women rights by Dr. Najlaa al-Mahmadawi, and service delivery by Mr. Muhammed al-Weali, anti-corruption measures by Mr. Ghazon al-Manhlawi.

The program hosted number of prominent policy makers, including chairperson of Investment and Economy Committee Mr. Ahmad al-Kinani, Yazidi representative and member of the Legal Committee Mr. Saab Khader, and member of Strategic Planning Committee Mr. Muhammed Shia al-Sudani.

Introduction

The successive and accumulated crises that have hit Iraq require Iraqi solutions based on realities on the ground to identify problems and their roots and then to find the most suitable international, regional and local practices to address these root causes whilst studying the feasibility and desirability of their implementation in Iraq. In light of public discussions around economic reforms, electoral reforms, and human rights, fellows of the first round of the Iraq policy program drafted policy briefs with the aim of enriching discussions and improving economic, political and social situation in Iraq.

Raafat Al Baldawi discussed the importance of outsourcing some services in order to reduce costs, create job opportunities and collect tax revenue, through establishing a clear and comprehensive guide, creating a specialized team linked to a higher authority in order to study the services that can be outsourced and developing standard contracts, and highlighting some functions that can be outsourced, such as operational functions, studies and researches, media and other related functions.

On the other hand, **Ali Adnan** highlighted the issues of the procurement system that impedes the execution of investment budgets, as a result of fractitioning the budget into small budgets executed by different entities, and the loss of the contractual experience due to ongoing staff reshuffle in the procurement directorates. He therefore suggested the activation and restructuring of the Public Procurement Directorate within the Ministry of Planning, for it to become “The \Highest Authority for Public Procurement.”

Faisal Al Saffar discusses the electricity problem, which despite the billions of dollars invested in this sector; has failed to generate enough to meet the needs of local consumption. He suggested to adopt new method to tackle the grid instability by reducing losses of the distribution, billing the consumers for what they actually consume, adopt smart meters, and incentives the renewable energy generation in disturbed manners to accumulate to reduction in the load on the grid during peak times.

As for **Shaymaa Al Kayali**, she studied the issues of bycotting the Iraqi elections, as a result of complicated seats allocation mechanism, which is usually

to the benefit of big parties, as well as consensual mechanisms for government formations, negative role of the media, adoption of the feminine quotas as an upper ceiling for female representation instead of implementing it as a minimum requirement pursuant to the provisions of the constitution. Therefore, Al Kayali suggests some legal amendments, awareness campaigns, as well as training political actors and especially members of new political parties.

On the other hand, **Wissam Shaker Al Saray** discussed the lack of internal democratic practices within Iraqi political parties, as a result of the conditions of their inception, and presented legal amendments that may lead to disseminating democratic practices, including imposing leadership rotation within parties, establishing arbitration authorities to solve internal conflicts, as well as other mechanisms that promote democracy in Iraqi parties and that will therefore lead to restore the trust of the public and reach political stability.

Zahraa Al Sadr stressed the importance of ensuring electoral security to avoid the issues and suspicions that were raised after the parliamentary elections of 2018, through adopting the biometric card, exerting public pressure to put an end to uncontrolled weapons and the use of public resources for electoral purposes, while ensuring the personal security of candidates and the freedom of voting.

Dr. Meeraj Al Hadidi discussed the issue of sectarian discourse in disputed areas, especially in Kirkuk, since identity discourse dominates the electoral scene instead of electoral programs. The distribution of districts according to identities' representation as per the new electoral law will deepen social divisions, and perpetuate political fragmentation in Kirkuk, highlighting the importance of amending the electoral law through adding a provision that incriminates sectarian discourse, in addition to raising public awareness, transforming Kirkuk into one district, and ensuring transparent elections through a local and international observation of elections.

In the same context, **Farhan Al Shankali** suggested an organizational structure for the disputed areas, especially Sinjar, in order to enhance its security and to promote the economic and social situation. Limiting regional and international disputes by making Sinjar a federal governorate responsible for preparing and executing its budget, catering to its inhabitants' needs in services, and managing foreign investments to create job opportunities.

Ashraf Kamel Aziz and **Rana Munther Khodeir** tackled the increase in domestic violence cases resulting from some social practices, widespread illiteracy, poverty, and lack of state intervention, absence of female financial autonomy, as well as other reasons that make the adoption of a law on domestic violence an urgent priority especially given the wide public backing for its approval.

Zeidon Al Kinani noted the need to solve the increasing rates of illiteracy in Iraq, especially following displacement waves and schools destruction by Daesh, through the adoption of a binding strategic plan to fight illiteracy, employ faculties' graduates in illiteracy educational programs, and link the Higher Committee for Literacy to the Council of Ministers to guarantee its access to funds and render its decision legally binding.

In conclusion, **Hajer Baker** spoke about the genocide of Yazidis following Daesh occupation, and about the need to avoid the repetition of this tragedy through reforming the educational system to reflect social diversity and deal with misunderstandings and preconceived notions around the Yazidi religion, as well as establishing fact finding missions that are vital for holding public debates and raising social awareness about the need to determine and tackle the reasons for genocides.

Public Sector Reform: Outsourcing Government Services

Raafat Al Baldawi

Introduction:

It is beyond dispute that Iraq suffers from a weak level of services provided by the public sector to citizens, for a host of reasons. These include the extent of financial and administrative corruption in State institutions, which was confirmed by the report of the Corruption Perception Index that indicates the level of corruption in the public sector, published by Transparency International, Iraq ranked 162 out of 180 countries.¹ Despite some occasional serious attempts, accompanied by some more timid attempts to limit or control the root causes of corruption, Iraqis are still living below the requirements of adequate living that everyone aspires to.

Finding a solution to corruption, mismanagement, public funds embezzlement and enrichment to the detriment of others, in addition to a low level of education and the lack of basic necessities of life in several regions, requires comprehensive organizational and structural changes in public institutions, especially those in charge of delivering services to citizens. These broad changes in the public sector and public institutions’ organizational chart cannot be implemented overnight, therefore we support the fact that “reforming the whole public sector is not realistic, while gradual reform could yield good results”², which requires several phases of serious commitment by the State, the Government and the International Community.

As such, this paper suggests that outsourcing government services represents one of the solutions aiming at raising the efficiency of public sector performance in order to deliver better quality and cost efficient services for citizens, on the basis of the following question:

Will outsourcing some of the Government services lead to motivating and

1. <https://www.transparency.org/en/countries/iraq>, Transparency International, the corruption perception index, 2019.

2. Ali Al Mawlawi, Reform of the Public Sector, Policy Paper published on Al Bayan Center for Planning and Studies <https://www.bayancenter.org/2020/07/6212/>

improving the performance of Government institutions?

Shall we partner with the private sector?

The World Bank expert Sanae Sasamori and the risk management specialist Naho Shibuya share a true story of partnership between the public and private sector in Japan. In March 2011, an earthquake hit Eastern Japan and caused a massive tsunami that led to the death and disappearance of twenty thousand people. The most affected region was Sendai, the capital city of Miyagi and a regional economic hub. Five hundred thousand people from the city lost their access to water, as tsunami waves flooded the main water treatment station of the city. Three hundred and twenty five kilometers of coastal railways were destroyed and one hundred kilometers of highway in Tohoku region were flooded, which halted land transport to destroyed cities in need for help.

Four years later, while the efforts of recovery from the earthquake and tsunami waves were still ongoing, a coalition of private sector companies signed a 30 year concession contract to operate Sendai airport, making it the first State owned airports in Japan managed by the private sector. This surprising success was welcomed by policy makers and partners in both the public and private sectors. How can a private operator take a decision regarding long term investments in such a disaster threatened region? Both writers consider that “the Japanese experience offers ideas on disaster risk management and enhancing preparedness for disasters through public– private partnerships. For instance, Sendai tackles disaster risks in an innovative way and resilience when analyzing the value for money by comparing two scenarios: (1) when dealing with public sector operators, and (2) when a private sector builds and operates a facility, including emergency response under a BOT contract.”

The example of Sendai city led to a remarkable conclusion out of these two scenarios: “BOT contracts are better than traditional contracts for public works in municipal communes in terms of municipal employees and in terms of sparing time to deal with natural disasters”³

Using this story, one could draw similarities between Japan tsunami disasters

3. Senai Sasamori and Nahu Shibuya, Learning from Japan, Partnership between the Public and the Private Sectors to Build Resilient Infrastructure <https://blogs.worldbank.org/ar/voices/ppps/learning-japan-ppps-infrastructure-resilience>.

and the crises in Iraq, in terms of high deficits, new restrictions on public finance, lack of services and accentuated citizens’ plight.

Therefore, cooperation between the private and public sector is more important during crisis than it is in times of prosperity, because restrictions on public finance during a crisis impose new conditions on governments, in addition to the fact that governments usually tend to overspend on infrastructure in the belief that infrastructure stimulates the economy leading to its recovery.

Why outsourcing?

In Iraq, citizens usually think that the Government should provide everything on its own, while employees in public institutions tend to think that they are the best providers of services. This common belief has its reasons, yet in modern economies, the state should renounce this concept, and try to move away from a mindset where it executes all matters to one where it plans and guides and is involved only where necessary. This shift is necessary not only because a Government may be incompetent at times, but also due to several factors, namely the magnitude of services that need to be delivered as a result of an increase in the number of inhabitants, in addition to the continuous demand for better quality services by citizens.

In an economy like the Iraqi economy, hit by successive crises, public service becomes a burden on the State’s budget. Public needs are considerable and while seeking to meet those needs, the Government creates new jobs that require a bigger operational budget, and focuses on works that could sometimes be outsourced to a third party who can deliver in a high quality services in a cost-efficient manner.

It is expected that such mindset with respect to governance shall change or at least decline as the Government cannot do everything on its own, and cannot attract all the youth to the labor market. The Government and its institutions have major roles to play, chief of which is planning, and it is to focus on this mission due to the large operational functions they are handling.

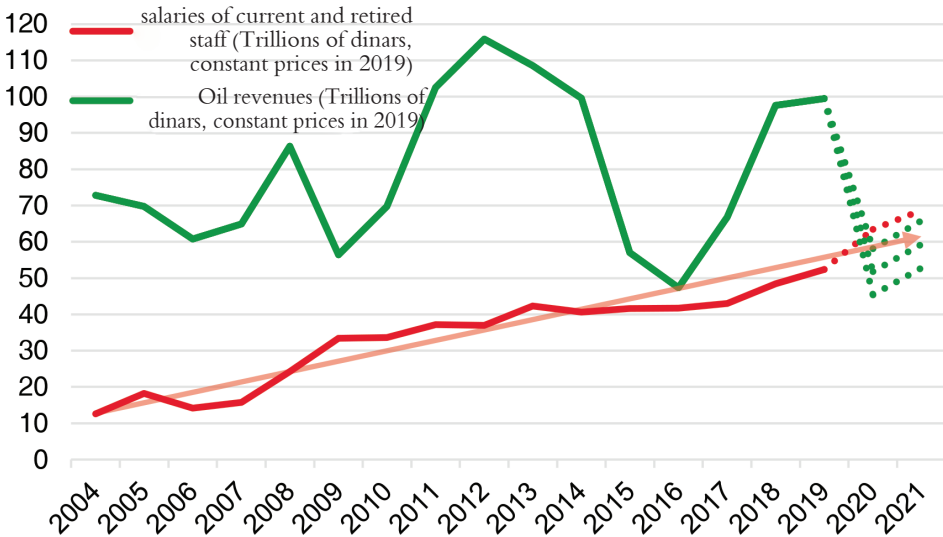
Outsourcing some services will therefore solve part of the problem, allowing the Government to focus on its major functions and this shall alleviate the burden of operational functions. The Government will therefore be able to deliver better services and achieve economies of scale through an organized and efficient

partnership with the private sector, the latter being more flexible in absorbing unemployment rates compared to the public sector.

On another hand, outsourcing the services to the private sector will not only decrease the costs and the unemployment rates, but it will also increase the volume of tax revenues, as the contracting firms are officially registered and their activities and revenues are subject to the tax laws and regulations.

During the past seventeen years, the increase in the volume of the public sector represented the principal means of expanding the role of the State economically, and socially, particularly in terms of salaries to civil servants. Salaries and retirement persons represented the fastest growing expenditure as it increased by 400% during 2004–2020 becoming a key variable of the public budget, representing 47% of 2017 of the overall expenditures.

Salaries of current and retired staff compared to oil revenues

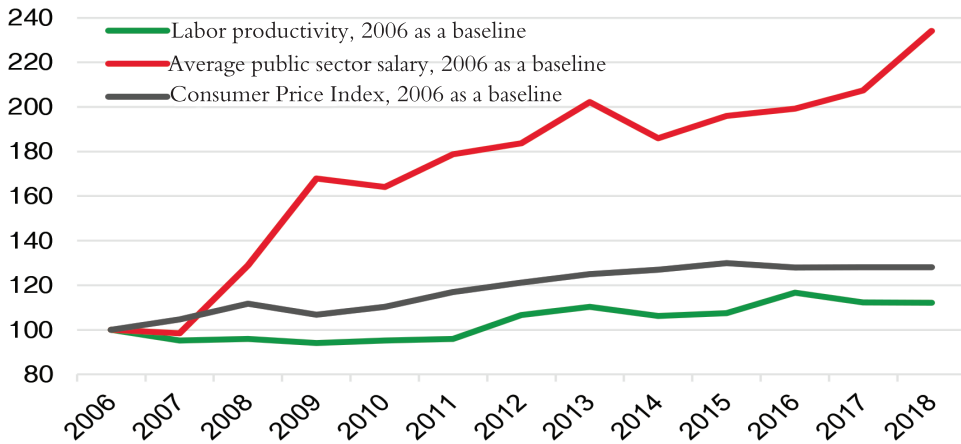


Source: the white paper, final report of the Emergency Cell for Financial Reform p. 11.

This expansion of the public sector went in two main directions: the overall number of employees in the public sector nearly tripled and the average gross salaries and allowances increased by 121% in 2006–2020.

The increase in the number of employees working in the public sector and in their salaries and allowances is not the main issue, as the real problem is that these numbers and amounts do not reflect the level of productivity nor do they meet the actual need. Therefore, this two-way expansion did not translate into clear improvements in productivity, which partially explains the weakness of services provided by the public sector.

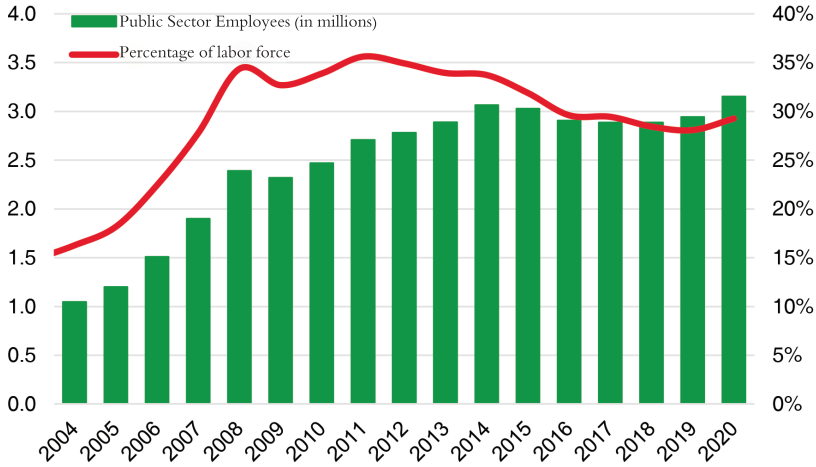
Average salary in the public sector compared to labor productivity and inflation



Source: The White Paper, final report of the Emergency Cell for Financial Reform p. 13.

This increase in the number of public servants affected the numbers of workers in the private sector and curtailed production whilst consumption, demands increased. The economy shifted to a dependence on the salaries of the public sector as its main driver. The society became generally oriented towards the public service as a guaranteed source of income in a low-productivity economy, further encouraged by a public financial policy that seeks to lower unemployment rates through offering new government functions, with an increase in the ratio of public sector jobs to labor force from 10% in 2004 to more than 30% in 2020.

Public Sector Employees: Numbers versus the percentage of labor force



Source: the white paper, final report of the emergency cell for financial reform p. 12.

What is outsourcing?

Usually, the relationship between the State and its citizens is a bilateral relationship between the provider of a service, namely the State which is represented by different public institutions, and the beneficiaries of services, namely the citizens. This relationship is subject to many challenges that often lead to the delivery of lower quality services with higher costs. Outsourcing arrives as a solution to this problem, by introducing a third party (the private sector) to the relationship.

In academic literature, outsourcing is known as “resorting to external sources” and it was defined by the French Development Agency as “the partial or total transfer of an activity or a function from the functions of an institution, to an external institution to conduct it and manage it, without giving up on this function or activity.”⁴ This definition highlights two important powers. First, outsourcing is not privatization, as the latter involved the transfer of ownership. Second, outsourcing is not contracting, as outsourcing delegates services to a third party through long-term agreements, unlike contracting.

4. Joumana Mohamed Mahfouz, role of resorting to external sources in improving the performance of governmental institutions, Master thesis, 2013–2014 Faculty of Management and Economy/ Tishreen University/Syria.

The idea of using outsourcing is based on the principle that “applying market mechanisms and private sector experiences could decrease the costs, improve the quality and yield broader benefits like increasing creativity and improving performance.”⁵ One could conclude based on this idea that outsourcing aims at two objectives: decreasing costs and improving performance quality.

In Iraq, there are several outsourcing experiences that are not clearly demarcated, and outsourcing is not a prevailing course of action. Outsourcing may have faced a set of challenges, due to conceptual errors and the social environment. A clear example of outsourcing in Iraq is the engagement of companies providing cleaning services in Basra in spite of diverging opinions about the success or failure of this experience, and also in some public institutions like the Central Bank of Iraq that also engaged a cleaning company which is considered a simple but successful example of outsourcing.

One disputed example is the outsourcing of fees collection and energy maintenance services in some regions to the private sector in 2017, which was a success in some region and a failure in others for many reasons that cannot be generalized, as they are not linked to the success or failure of outsourcing as a concept, but rather to the selection of a third party with a low performance and weak solvency, and compounded by societal and political variables. Despite all this, outsourcing fees collection and maintenance services have led to the improvement of the service performance in some regions. This type of outsourcing was wrongly named privatization, and this is a conceptual mistake that made it unattractive because it consolidated a wrong common perception as per which privatization leads to bearing additional costs.

Outsourcing in International Experiences

Several countries opted for outsourcing as a successful alternative means to ensure better services for the citizens and financial savings, like the United Arab Emirates that has gone a long way in the field of acquisition and in services outsourcing, especially in the field of licensing and business registration, with an acquisition rate of 74%.⁶

5. Outsourcing and privatization, institute of government, <https://www.instituteforgovernment.org.uk/explainers/outsourcing-and-privatisation>

6. Al Bayan Emirati newspaper, article on the Federal Authority for Government Human Resources, on 13/2/2016 entitled “Outsourcing Increases the Efficiency of Governmental Services” <https://www.albayan.ae/economy/last-deal/2016-02-13-1.25720567> Official website of the federal authority for human resources in the United Arab Emirates, guides sections

The UAE issued a special guide entitled “Governance Guide to Outsourcing Procedures in the Federal Government” including all the procedures and guiding principles in addition to special outsourcing indicators.⁷

In the United Kingdom, a wide number of services are outsourced. More than a hundred billion pounds are spent annually by the Central Government, the local Government and public authorities on outsourcing to a third parties. Studies showed that outsourcing helped in improving some performance and creativity fields, but there were failures that appeared when the Government did not provide the due diligence towards contractors, or was too focused on prices or did not calculate the risks properly.⁸

As for the United States, the National Institute of Government Purchasing (NIGP) issued a paper on outsourcing in the public sector that analyzed the role of the purchasing manager in public institutions, and concluded the following:

- Outsourcing has a direct impact on the ability of the Government authority to work efficiently and deliver the necessary services to the public.
- The decision of outsourcing shall be well studied, and shall be supported by competent experts, with the necessary strategic vision and experience to improve operations while protecting the public good.⁹

The UK and USA experiences indicate something very important, which is that the decision to outsource shall be well studied on all fronts, and public institutions shall pay attention to all the details that could affect the quality and cost of the service, highlighting the need to have a general framework and a clear guide before starting any type of outsourcing.

ALAN annual report issued in 2011 clarified that the reasons behind turning to outsourcing are summarized by the following:

- It decreases the operational costs by 17%
- It improves the efficiency of organizations by 16%
- It allows for the access to global markets by 12%

7. <https://www.fahr.gov.ae/>

8. Outsourcing and privatization, institute of government, <https://www.instituteforgovernment.org.uk/explainers/outsourcing-and-privatisation>

9. Outsourcing in the Public Sector, The Institute For Procurement , <https://www.nigp.org/>

- It allows for the access to resources that are not available internally by 8%¹⁰

Before starting

The Government provides many costly and low quality services. Price and quality are two indicators that should move together steadily, and when they diverge, it means that there is an issue that needs to be solved.

In order to succeed in introducing a new management approach, we shall first build successful examples, and when they succeed, these experiences are made mainstream, though the specificities of each service are accounted for.

To develop these successful examples, we require suitable tools, and one of the most important tools is the presence of a clear and comprehensive outsourcing guide that can help governmental institutions to execute a successful outsourcing process and to select serious companies, in addition to presenting the requisite information to the institutions to be able to take the right decisions, while taking care of legal aspects to prevent contractual loophole.

Another important tool is the presence of a specialized team subordinated to a higher authority that can impose a specific State policy. Once established, the team, after drafting a clear outsourcing guide, will analyze the services that could be outsourced and the contracts related to each service. This team shall be formed of different specialties and experiences. It shall contribute to preparing and reviewing standardized contracts for some services through the public-private partnership mechanism. The Government decided for instance to outsource to the private sector cleaning services in several governorates: In this context, the outsourcing shall be standardized and well-studied, with specific points that leave no place for loopholes or for incompetent companies to enter into these contracts and to make a clear evaluation in the future possible. Yet outsourcing could be risky since a simple legal loophole in a contract could be applied to all contracts, and this requires a clear and deep study of every detail of the outsourcing deal.

It should be noted that outsourcing cleaning works to external parties represent a very simple example. There are many services that the Government can outsource provided that these services are not related to confidential and classified information, or sovereign services.

10. Joumana Mohamad Mahfouz, Role of Referring to External Sources in Improving the Performance of Public Institutions, Master Thesis, 2013–2014 Faculty of Administration and Economy/Tishreen University/Syria

Services can be outsourced in Iraq

1 .Operational functions like cleaning, maintenance, and fees collection and other similar functions.

These functions do not need to be managed by government institutions directly, as these are side works that do not affect the policy of the institution as a whole, but at the same time need direct effort and supervision. Therefore, outsourcing them to a third party may allow the institution to focus more on its basic functions, though it must keep an eye on the costs of such functions.

2 .Studies and Research

Several government institutions have departments and sections specialized in studies and research, where the employees usually have higher education degrees, which mean that they get high salaries. Nevertheless, the relevant employees do not research while studies developed by public institutions are weak due to the weak human resources and favoritism. Usually, the studies and research prepared by an internal party lose their objectiveness. Resorting to external resources will allow us to have access to a neutral technical opinion, and will decrease the relevant costs.

3. Media and Public Relations, Marketing and Advertising

Nowadays, the media and public relations sectors require competence and skills. Some public institutions have within their organizational structure a directorate general with different departments and sections, yet unfortunately these formations do not show any professionalism in the media and public relations field. The staff members in this field do not only need a university degree but also a rich experience to help public institutions market their achievements and highlight them appropriately, especially in lucrative public institutions. Such efforts are rarely performed by media and public relations structures in public institutions.

4 .Infrastructure and Investment Management Services

Iraq has been suffering for years from a problem in ensuring comprehensive infrastructure services for new residential areas or commercial areas, which has transformed some regions into slums, and this is the result of the lack of financial resources and the low quality of services provided. Outsourcing different infrastructure projects, managing them and collecting relevant fees will improve the

services delivered to citizens and will be a solution for the lack of funds since the investor will pay out of the funds that will be collected from the provided services.

5 .Transportation Services

State institutions are obliged to pay hefty amounts in order to provide transportation for employees, and this procedure requires recruiting drivers within the institution, buying vehicles, and allocating funds to ensure gasoline and maintenance, in addition to other costs related to managing and supervising this file, whereas if this mission is outsourced to the private sector, the government institution will get rid of its least important activities.

Recommendations

The paper’s recommendations are summarized as follow:

1.Draft a comprehensive outsourcing guide that can help governmental institutions to execute a successful outsourcing process and to select serious companies, in addition to presenting the required information to the institutions to take the right decisions, while taking care of legal aspects to avoid contractual loopholes.

2. Form a specialized team subordinated to a higher authority that can impose a specific State policy. Once established, the team, after drafting a clear outsourcing guide, will analyze the services that could be outsourced and the contracts related to each service. This team shall be formed of different specialties and skilled experiences

3 .Study the relevant laws and regulations that are in line or inconsistent with outsourcing procedures and trying to benefit from these laws as well as proposing amendments.

Challenges

Any measure aiming at changing status quo face challenges. Therefore, outsourcing public sector services to the private sector might face administrative, legal and political challenges, in addition to the resistance to change because of the dominant culture.

1 .Administrative challenges

Outsourcing some governmental services could face several administrative challenges. Waiving some powers in favor of other parties might be refused by managers and could be difficult as per the organizational structure and by-laws of the institutions that determine the functions of every directorate and department, which means that outsourcing requires a broad set of administrative changes in these institutions. Transferring part of the employees to the private sector could be a further obstacle that the execution of these procedures will face, which needs, first and foremost, a clear mechanism for the implementation of these administrative and structural changes.

2 .Legal challenges

Outsourcing will face legal challenges when it comes to some laws that are in force and that clearly stipulate the provision by some institutions of services that are suggested to be outsourced. This requires the amendment of some legislations and the adoption of an article in the law on public private partnerships to regulate the mechanism of these changes, and this will facilitate the mission and lead to overcoming major legal hurdles.

3 .Political challenges

Political interference in the executive functions of the Government due to political pressure will lead to halting several procedures that the Government finds useful, especially the pressure exerted by the legislative power on the executive power. Therefore, an agreement between both powers to introduce such reforms will facilitate the mission, with guarantees that the employees who will be transferred to the private sector will enjoy the same privileges as those who work in the public sector.

4 .Challenges of resistance to change

It is normal for such decisions to be rebuffed by the involved employees, as it is the case for any new changes implemented by institutions. Resisting change, no matter how big it is and whatever its reasons, is a normal reaction. This is why the Government shall provide some incentives like loans, real estate properties or salaries increase if possible, with stabilizing their pension or their social security with the same contractual arrangements they had while working in the public sector.

Reforming Contracting in Iraq State Institutions

Ali Adnan

Introduction

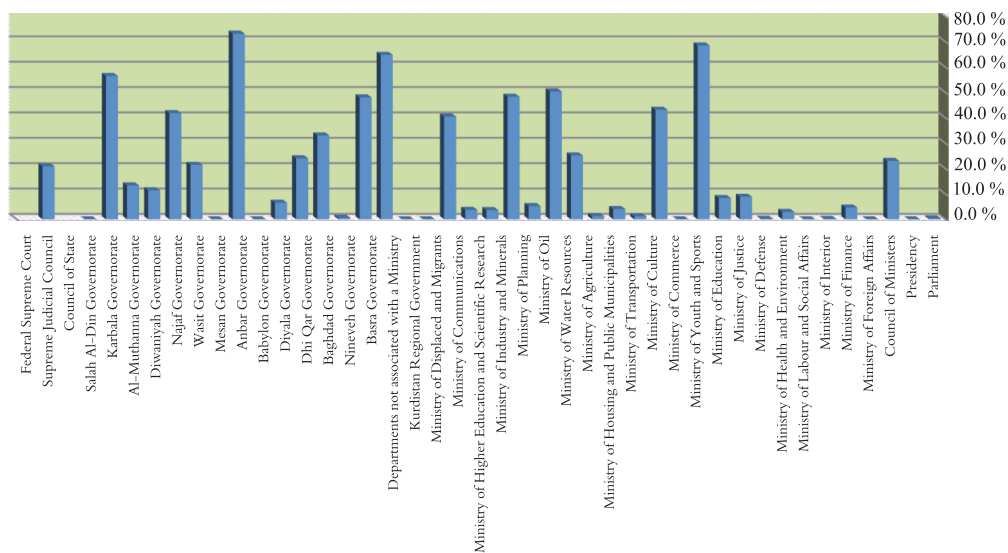
Seventeen years have passed since the transition into a democratic system in 2003. These seventeen years witnessed dysfunctions and mistakes on all levels. Democratic systems around the world are characterized by flexibility towards reforms, which makes them highly adaptable to the circumstances of different states and cultures, and this encourages us to demand corrections to the flaws that the Iraqi democratic system suffers from, be it on the political, social or administrative level. My efforts focused on analyzing the legal system behind public procurement in Iraqi public institutions, as this system is one of the outcomes of democracy, and I have noted several mistakes in this system during the past years. This encouraged me to study this file as it is one of the main pillars of fighting administrative and financial corruption that the Iraqi State is suffering from.

The public procurement system in Iraq has suffered from confusion and chaos during the past years, in spite of the simple arrangements that this system is governed by, on the legal and institutional level. The system is legislatively based on the order of the Coalition Provisional Authority number (87) of 2004 formed of (16) articles that regulate the procurement system adopted by Iraqi public institutions according to the norms of transparency, equality, and fair competition in addition to other norms of free international trade. This legislation paved the way for procurement departments to be established in public companies and public sector institutions, and entrusted them with the responsibility of drafting, signing, and amending the contracts, under the supervision of an authority that was established by virtue of this legislation (the Public Procurement Directorate) in the Ministry of Planning, which issued the regulations related to government contracts number (1) of 2008, and number (2) of 2014, however, the procurement system is still suffering from confusion and chaos.

Doctor Ahmed Souleiman Shehab, former Director General of one of the Iraqi ministries, pointed out three problems related to public procurement, These are the distribution of contracts on different departments which will leads to the dismantlement of the general budget into small budgets, and the fragmentation of big projects into small ones executed by small companies with limited experience. Another problem is the difficulty the Iraqi State is facing in monitoring the performance of all procurement departments and their employees, and finally, the non-retention of staff expertise by the procurement departments due to many transfers and changes for multiple reasons. These problems are not the only ailment the procurement system suffers from, for there are issues related to transparency too as Deputy Mohamed Shayaa’ Al Soudani said when asked about contracts made by the Ministry of Oil and Somo Company.

These problems are illustrated by the percentages of investment budgets executions. In 2019, the statistics section in the Federal Board of Supreme Audit issued a report entitled “results of the execution of the general budget of the State (current budget and investment budget from 1/1/2019 until 30/9/2019.” The report indicates that the percentages of investment budget execution reached 28.4% only, and no authority registered a 100% budget execution, whilst the Anbar governorate registered the highest percentage of budget execution that reached 73.2%.

Percentages of Execution of the Investment Budget



In 2019 too, the presidency of the Council of Ministers issued a semi-annual report on the follow-up of the Government program of Mr. Adil Abdul Mahdi. This report included a big number of non-finalized projects and a deviation from the percentages declared in the government program mainly due to the problems related to contracts.

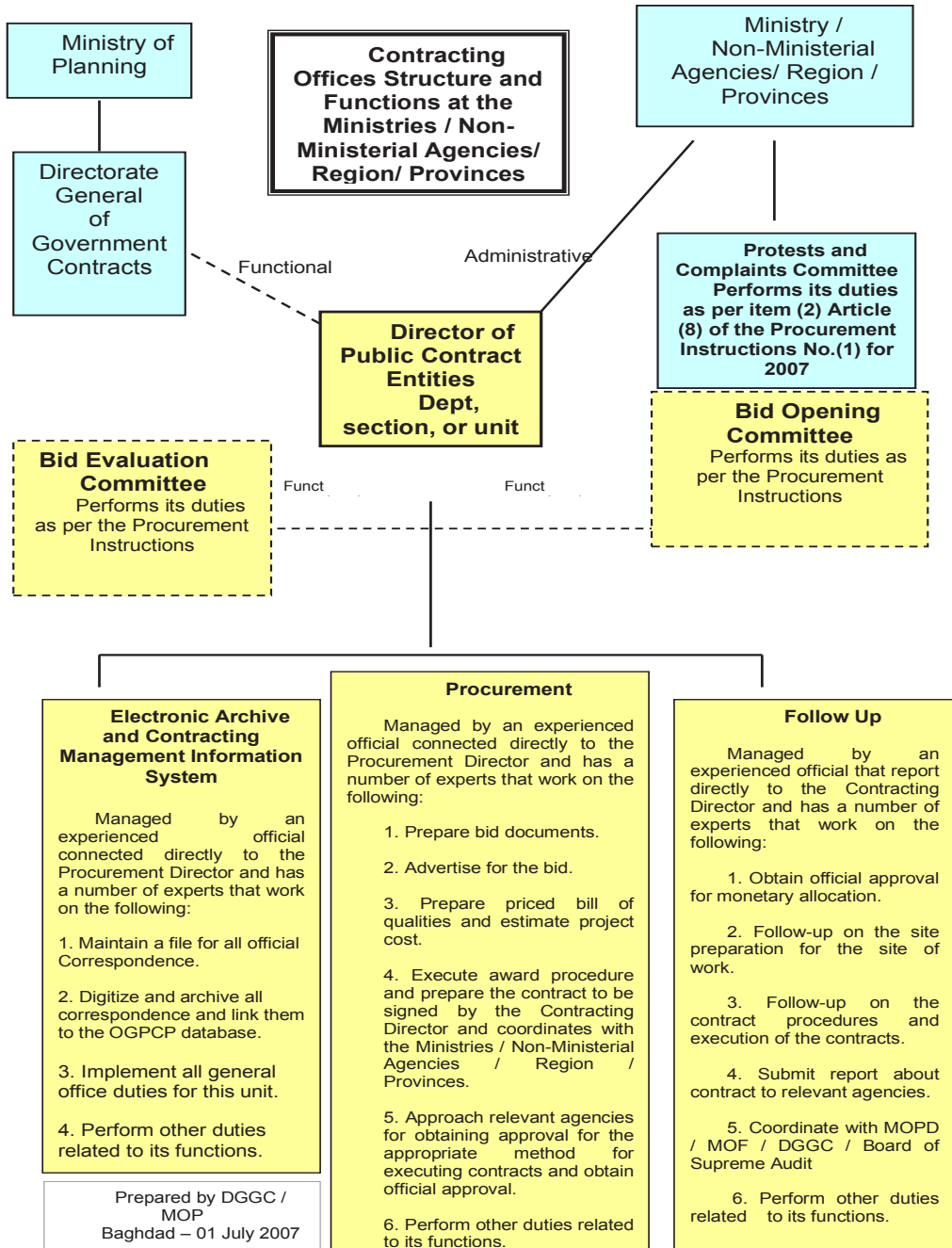
Contracts institutional framework:

Government contracts are concluded through a series of administrative phases that are not only finalized through the relevant section, department or unit, but also through four main committees formed in the ministry or in the entity not attached to the ministry (the bids opening committee, the bids analysis committee, the review and ratification committee, and the complaints and objections committee (as illustrated in the following chart)

Let us suppose for instance that a specific department (a beneficiary entity) wants to sign a contract. The first administrative step would be submitting a request to the relevant administrative authority (contracts department or section or unit), and then estimated costs will be determined between the beneficiary and the relevant contract structure. Then, the contract department gets the approval of the financial department on the needed allocations in order for the actual procurement procedures the subcontractor responsible for can begin.

The procurement entity selects the procurement approach and the contract type. Then comes the role of the Bids Opening and Analysis Commissions. When the aforementioned committee fulfills its tasks, the revision and ratification commission transfers the contract or submits recommendations to the sectorial committee of the Council of Ministers to decide about contracts that require financial prerogatives exceeding the prerogatives given to the review and ratification Committee. Finally, the contract is signed with the relevant authority if the approval is given.

Chart 1. Institutional Framework of Public Procurement



Challenges of the institutional framework:

We notice from the above that the institutional framework of contracts suffers from some issues, as the whole mechanism is not subject to oversight, and if supervision is practiced, it is only limited to counseling and advice and is not a major part of the process. Contracts oversight might be part of the tasks of the institutions supervising the ministry or the entity not attached to the ministry, yet these supervisory institutions suffer from a lack of efficiency in fulfilling their missions, which makes their supervisory tasks during the procurement process quasi absent.

The institutional network also suffers from another problem, namely, the absence of a binding measure to involve the Public Procurement Department of the Ministry of Planning in the contracts, as its role is technical and not administrative as mentioned in the chart above. It therefore has a supervisory role with an unclear impact. One of the former directors of a public institution (who refused to give his name) mentioned that the absence of a supervisory role encouraged the fragmentation of the processing of commodities and services – which means processing in batches instead of all at once within the powers of the procurement committees.

Policy recommendations for the procurement system:

The general public procurement policy adopted in Iraq after 2003 is based, as per the law, on the principles of transparency, free and fair trade, and fair and public competition. Yet the law did not stipulate the adoption of a centralized or decentralized policy in the conclusion of contracts in spite of the clear application of decentralization in its clauses. The procurement policy suggests the adoption of a centralized approach provided that it is implemented as follow:

1. Restructuring the Public Procurement Department into a Higher Council for Contracts.

The absence of an effective role for the Public Procurement Department in the Ministry of Planning is one of the main reasons behind the fragmentation and dispersion that the procurement system in Iraq is suffering from. Therefore, it is necessary to increase the efficiency of this department in the procurement system

so that it becomes involved in the procurement process, especially during the planning phase, and in choosing the contracting style, as this phase is dedicated to the drafting of contracts at the ministry and the entity not attached to the ministry. Yet if a central entity will be entrusted with planning and choosing the procurement system (represented by the Public Procurement Department), there will be accumulated experiences in this department which will be beneficial for different State departments.

This is how the Public Procurement Department in the Ministry of Planning will be playing the role of the Higher Council for Government Contracts entrusted with the responsibility of processing the contracts on the administrative, legislative and legal levels. In addition to its administrative and institutional role, it will be in charge of drafting the necessary legislations for the integration of the procurement system in order to be voted by the legislative power and to issue the legal instructions and regulations to guarantee the enforcement of the law in this context.

It would also be better to disengage this department from the Ministry of Planning and link it administratively to the Council of Ministers as there should be coordination between this department and the Ministries of Finance and Planning, or finding a specific administrative context to link it administratively to the Ministry of Finance in order to guarantee the allocation of funds for any procurement process or to resume procurement in suspended project. The semi-annual report previously mentioned stated that one of the reasons for the reluctance to execute projects is the non-allocation of funds by the Ministry of Finance.

Restructuring this department into a Higher Council for Contracts is a reform that was already implemented by several states in order to rationalize expenditures and ensure the effectiveness of the procurement system. In Turkey for instance, the General Procurement Authority was established in 2002 and is responsible for reviewing public purchases and contracts with a direct link to the Turkish Ministry of Finance. This procedure was in light with the Public Procurement Law that is in compliance with the requirements of Turkey's adhesion to the European Union.

2. Granting a direct supervisory role to oversight entities related to the conclusion of contracts:

We have noticed, after studying the procurement system in Iraq, that there is no

direct supervision on contracts, and supervision in this context is part of the functions of the oversight institutions in Iraq (like the general inspector, the commission of integrity and others). The importance of the procurement system in Iraq makes it necessary to add a direct supervisory role to the missions of the department. In this context, we propose having a specialized supervisory department within the general secretary of the council of ministers linked to the assistant secretary general for governorates and ministries affairs. This department is in charge of two main missions, the first being supervising the public procurement department, and the second being the supervision of all the phases of the conclusion of government contracts. To facilitate the implementation of its missions, the department shall be enabled to have free access to all documents and to copies from the procurement information archive.

3. Streamlining bureaucracy procedures throughout the public procurement process

Streamlining bureaucracy is not only limited to the public procurement process, but also includes the majority of procedures implemented in state institutions, as it is a main step towards expediting this process while preventing rampant corruption, namely, bribery. The general context of streamlining bureaucracy is represented by the automation of whole processes, from the submission of the beneficiary's request to obtaining final approval.

We also suggest phasing out the approval of contracts by the sectorial committees of the Council of Ministers when the prerogatives needed are beyond that of the Review and Ratification Committee, and going back to the Public Procurement Department that is under the supervision and monitoring of the newly established department in the secretariat of the Council of Ministers that we spoke about in paragraph 2.

Automating the procedures and adopting E-Systems is definitely within the prerogatives of the public procurement department, as it will be in charge of studying the procurement process and adopting the most efficient system, and it will also be possible to have recourse to international experience in this context, as the World Trade Organization previously supervised the activation of these systems in several countries in the context of the Agreement on Public Procurement that includes 21 parties.

Summary:

The aforementioned executive measures are broad lines that aim at centralizing the procurement system in public departments and limiting the chaos that the Iraqi State is suffering from when it comes to contracts. They also represent a step towards reforming Iraqi public institutions and activating an efficient oversight role on an ad-hoc basis. It is also necessary to include technical functions to contracts departments in different State institutions after relieving them from the burden of having to choose the procurement planning and model as this will become the responsibility of the Public Procurement Department in the Ministry of Planning. It is then that the departments of contracts will be able to provide their technical experience and support.

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- 1- Coalition Authority Order number (87) of 2014
- 2- Contract Execution Manual, part one
- 3- Contract Execution Manual. Part two.
- 4- Contract Execution Manual. Part three.
- 5- Contract Execution Manual, part four.
- 6- Results of the general budget execution (current budget and investment budget) between 1/1/2019 and 30/9/2019.
- 7- First semi-annual report on the follow-up of the Government Program 2018–2022 until April 2019.
- 8- Interview with Dr. Ahmed Sleiman Chehayeb (Former director general of the ministry of higher education and scientific research).
- 9- Interview with a former director general of one of the public companies in Iraq (he preferred not to mention his name).
- 10- https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm
- 11- <https://www.mondaq.com/turkey/government-contracts-procurement-ppp/696064/turkish-public-procurement-law-in-practice>

Policy reform toward electrical grid stability

Faisal Al Saffar

Overview:

This paper will introduce the issue of poor electricity service provision in Iraq, which has been a consistent issue in the country over several decades, despite tens of billions of dollars in investment made in an attempt to remedy the situation. The paper will start by identifying the various issues that hinder the sector, and their potential impacts, it will then assess the measures taken to address some of the measures taken to address the underlying issues contributing to the sector's poor performance. This paper does not suggest policies that will force consumers to pay more than what they currently pay for their electricity, but instead discusses the possible restructure of the payment and making the process more efficient, and suggest better implementation and learning lessons from the previous implementations.

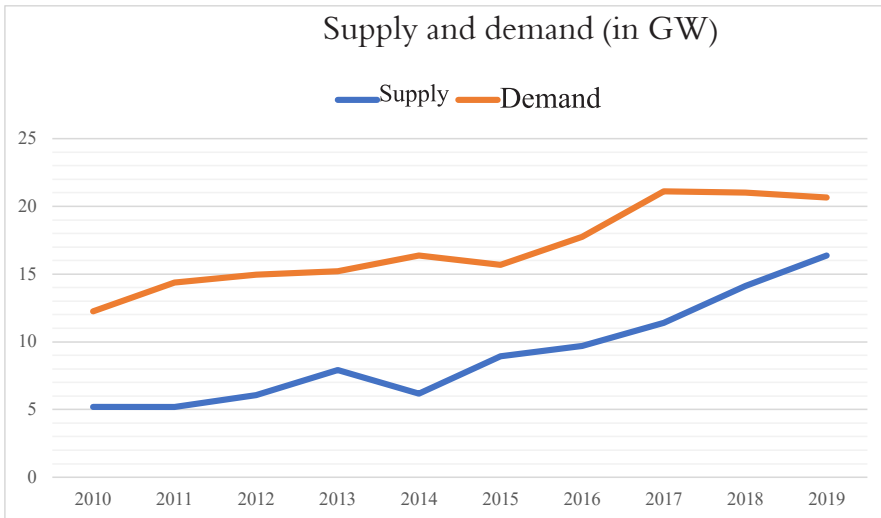
This paper is based on quantitative and qualitative research conducted by the author, 13 consumers' feedbacks from the areas has Private Public Partnership (PPP) bill collection, and an expert in the electricity industry.

Overall electrical grid operations are financed by the government, and the only revenue stream from the electricity not having much attention, this makes process costs more. Due to financial crises we've been through since 2014 made the investments less, and on the other side the demand is growing massively, without making any significant payment to the government, but still paying to critical power providers (private generators). In addition to that the consumption behavior varies but mostly inefficient consumption due to many factors one of them the insignificant tariff. This put the electricity landscape of Iraq in vicious cycle that we need to break. One of the trials to break this cycle is PPP projects. PPP is an arrangement between public and private sector parties to cooperate on implementation of specific services for a wide population. We will discuss the current results of this model and how to refine it.

Supply shortage:

The most obvious answer to power problems is generating more power, it might feel too simple of an answer but in recent years we are facing generation problems.

Iraq's total supply currently stands at around 16.5 Gigawatt, peaking at 19 GW, comparing to average demand of 21 GW. The supply in the grid comes from six main sources, the government controls four of the 6 sources and the other two is either IPP or imported electricity from neighboring countries. In addition to the grid people rely on private generators in neighborhoods when scheduled or unscheduled blackouts take place, this critical power provided by private generators is also not controlled by the government.



Source: Ministry of Electricity annual reports

The generation portfolio of Iraq's electrical system is not well designed. For instance, Iraq uses peaking plants more than base load power plants, and covers the lack of generation in base load by these peaker generators. This causes issues, as peakers are often high-cost. When designing the generation portfolio, it is necessary to cover the base load by base load power plants (i.e thermal power plants), and use the peakers only when we have a demand higher than the base load.

On the economics side, Iraq has, in the past, purchased significant capacity turbines without ensuring that an adequate fuel source for operation. This has led to a significant reliance on natural gas imports, and at times has also resulted in Iraq using liquid fuel in natural gas or dual-use turbines, reducing their efficiency. This practice also increases the down time of the plant and increases maintenance requirements, all of this makes the operation and maintenance of the plant much higher than the usual cost.

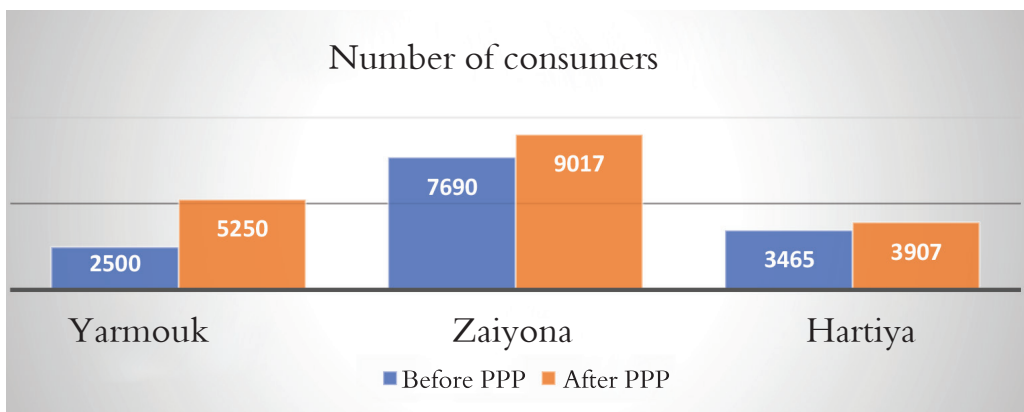
Since we import our fuel from other countries, this causes a problem to our grid security, if for instance the other country has a supply problem we will suffer greatly from blackouts in the grid.

Trespassing on the grid (losses):

Our grid used to be secure and highly monitored so it was difficult to trespass, but after 2003 the lack of government supervision and the rise in consumption led people to trespass.

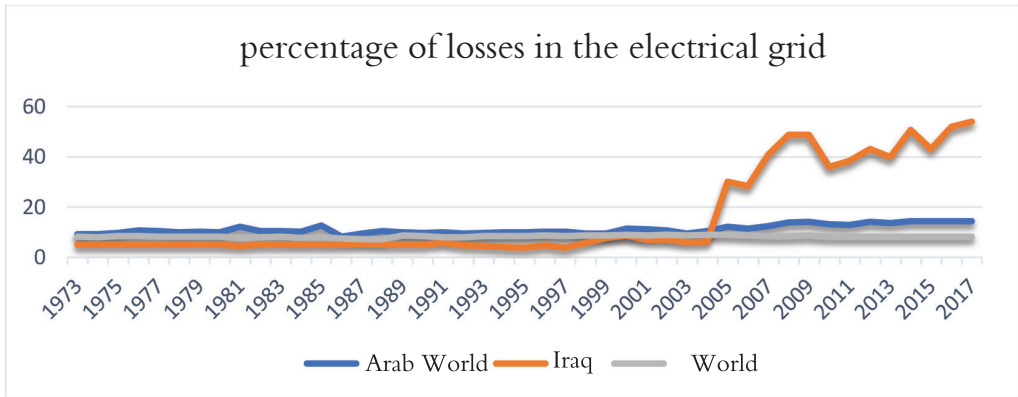
Most of the trespassing happens in the distribution part of the electrical system. This is mainly concentrated in trespassing on overhead lines that are common in many of Iraq’s neighborhoods.

Most of the PPP projects were in areas that had an underground line system, but according to one interviewee al Yarmouk was an overhead line but it was changed to underground lines before the implementation of the PPP project.



Source: Iraq Energy

Bill collection from the distribution part is the only revenue stream for the government, more than 50% of this revenue is lost due to the various problems one of which is trespassing.



Source: World Bank

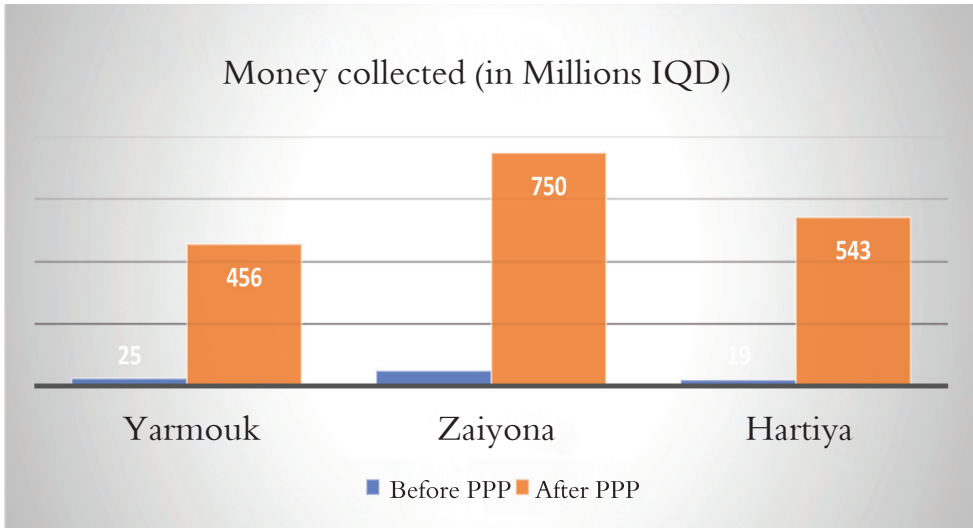
The consumption behavior of the consumer has increased due to the ability to trespass, because you don't need to worry about something you won't be charged for.

Bill collection:

A problem that closely ties to the previous one is bill collection, some areas of our cities that has meters installed in its properties don't get billed for their consumption, meaning even if you had a meter installed there's a chance you wouldn't have to pay because of the absence or the flaws of the bill collection system.

The bill collection system is outdated, it relies mainly on human resources which is inefficient and very time consuming.

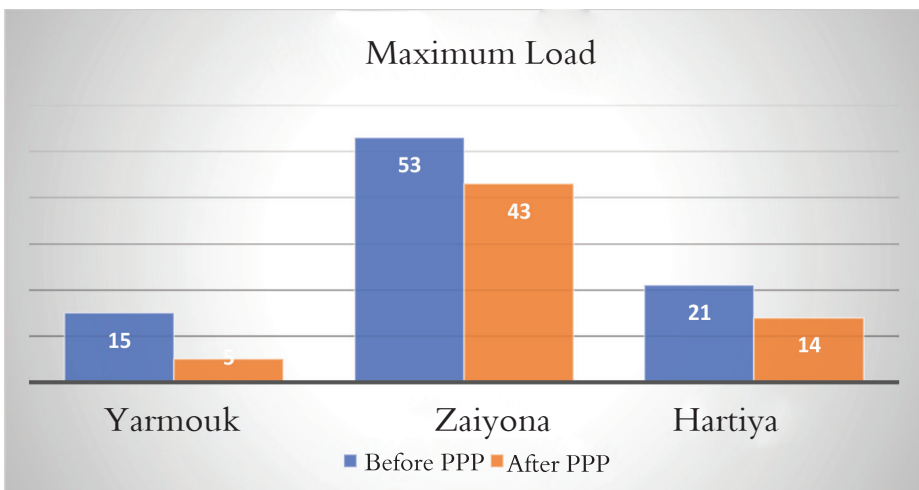
Our system of bill collection is a high cost system because of its inefficiency, we don't recoup the money we spend on generation and other sides of the electrical system and the bill collection system is one of those sides.



Source: Iraq Energy

One of the problems in bill collection is the lack of regulation and fines on the people who don't pay their bill, in some areas this creates a culture that the normal is not paying their bills.

One possible solution to this problem will not be only a revenue stream. It will impact the consumption and make people consume more efficiently. Thus, it will decrease the maximum load on the grid.



Source: Iraq Energy

subsidy:

The subsidy system in Iraq is an unplanned system, we mostly subsidize the consumption of the residential system, 87% of all residential consumption is subsidized to be exact, this heavy subsidization with a lack of planning for whom it's going to lead the people to undervalue their electrical consumption, which leads to an uncontrolled increase in demand. This has contributed to an unsustainable rate of increase, ranging between 7% and 10% per year, a rate that is significantly beyond the increase in annual supply. This has led to a deterioration in the level of service provision.

The subsidy should be targeted towards lower income households but we currently give the same rate of subsidy to all the residential houses, this with a higher income and a growing population caused a large spike in consumption.

this large unplanned subsidization makes the electrical sector a liability not an asset to the budget Iraqi government

Private Generators:

They provide limited capacities to the consumers at certain prices reaches 25,000 IQD which makes the range of electricity cost 600–900 USD per MWh. consumers pay most of the total electricity costs to the private generators which they provide critical power and approximately 25% of the need. But the payment to the grid is around 20 USD per MWh.

Available Policies to address these problems:

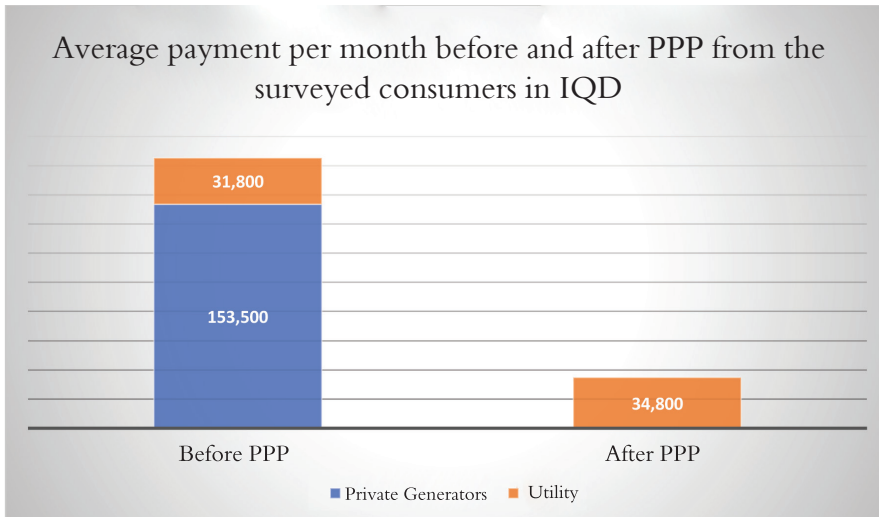
Law number 53 of 2017 gives the authority to the ministry of electricity to initiate PPP in generation and distribution stages of the electricity sector and motivates the use of renewables.

A few areas in Baghdad had an implementation of the PPP in the distribution stage.

These contracts were called billing and services, in the areas where they were implemented we asked the people there and they said it's overall better service provision than government operation. But we noted from the feedback of the consumers that the PPP wasn't efficiently implemented, in some areas like

Jadriya and Mansour they couldn't sustain the bill issuance process, and accounts management, in other areas it's still implemented, but the billing system witness a latency in billing and provision of maintenance services.

Another benefit from the implementation of PPP is the reduction of cost on the customer as seen in the graph below.

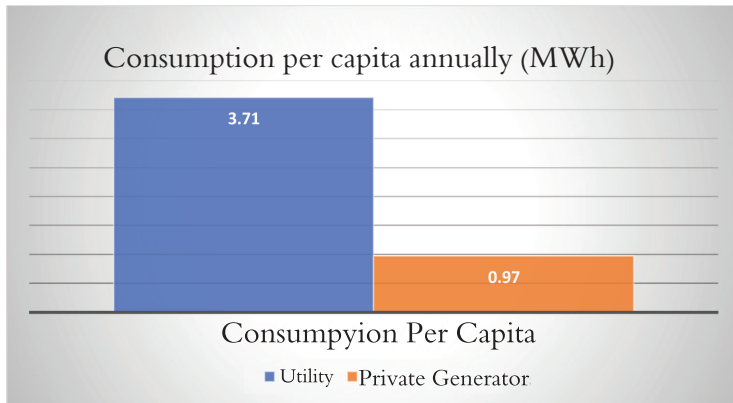
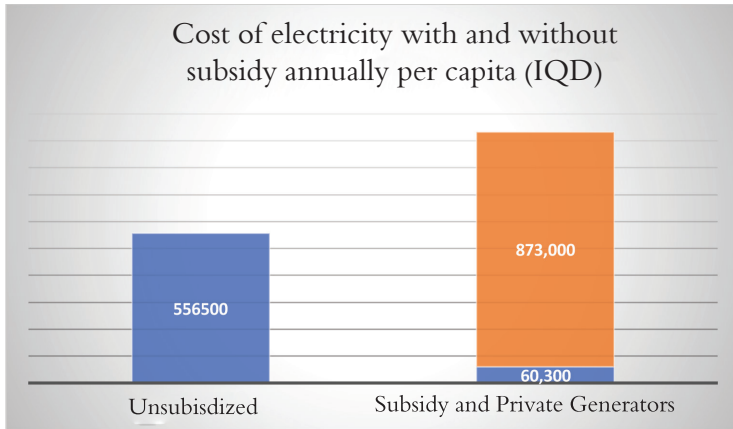


Road for gradual reform:

We need to recoup our spending on the electrical system and make it profitable. We need to improve our classical billing system and make it a smart system with new technologies to help us with the payment of bills and the reduction of trespassing after reaching a certain level of cost recoup then we need to restructure the subsidy.

If we totally remove the subsidy and make electricity self-sustained and profitable. the electricity price would be lower than the current price on the costumers, because of the high prices of private generators.

This analysis shows that with the current price and supply of the private generators, and the current subsidy price and supply for electricity from the grid Vs. entirely reliant on unsubsidized grid to supply the demand.



Source: KAPITA's Iraqi electricity sector overview

Needed political action:

- We need policies to fine people who trespass and don't pay their bills.
- We need laws to adapt e-payment solutions for the payment of bills and smart meter technology in the distribution grid.
- Adoption of incentives programs for efficiency and renewable energy like Feed in Tariff and net-metering.
- Since our peak times during day and specifically summer season, adoption of distributed generation sources like solar PVs and to be connected on the grid would shave a significant amount of the load.

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Addressing Bycotting Elections

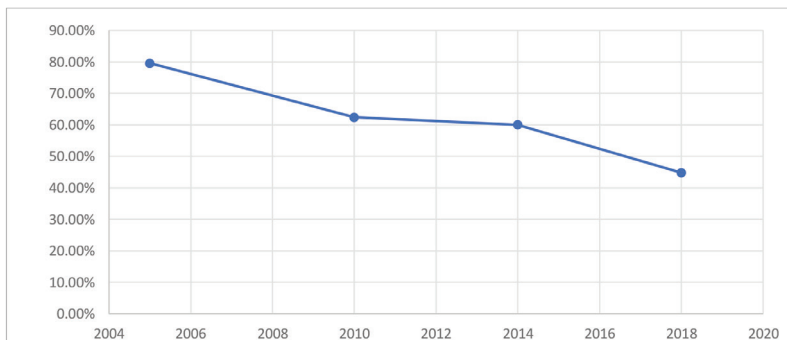
Shaymaa Al Kayali

Introduction

Electoral participation rates are declining compared to the previous elections in Iraq, as illustrated in chart (1), which is an indicator of dissatisfaction amongst the majority of voters who are seeking to punish politicians by boycotting elections, believing it will deprive candidates from winning or will lead to illegitimate elections and therefore the loss of all candidates. They also think that electoral participation will not be useful as the same politicians are winning and the same policies are being adopted with no significant change happening.

Electoral participation is considered one of the most important factors leading to the success of the democratic process and giving credibility to the awareness and culture of the people. It also gives credibility to the blocs or winning candidates, and there is no doubt that these objectives are achieved when the electoral system is based on equality and fair competition. It is indisputable that there is no perfect electoral system, and each system has its advantages and flaws, thus the need to find the one that is the most suitable to the political, social and cultural nature of the society.

Chart (1) percentage of electoral participation in Iraq¹

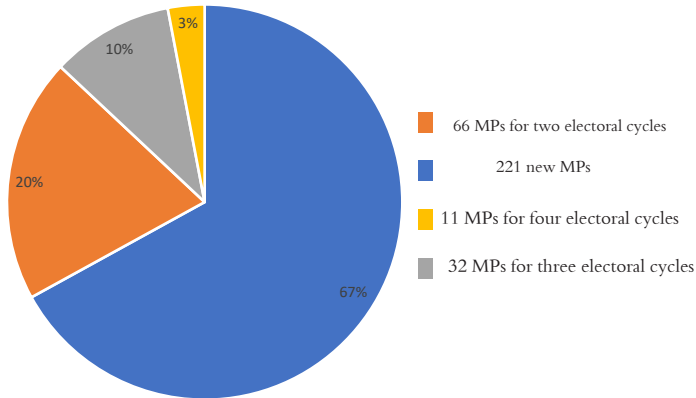


Voting percentage have regressed and thought his can be explained by the prevailing understanding that the result of the elections is known in advance in favor of big political blocs, the actual results prove otherwise, with the exclusion of

1. Iraq registers the lowest voter turnout in the first legislative elections after defeating jihadists, DW channel, May 2015 <https://www.dw.com/ar/a-43759741>

221 members of the Council of Representatives in the 2018 elections, as clarified in chart (2).²

Chart (2) Members of the Council of Representatives of Iraq according to their electoral cycle



This regression is also due to the diminished popular trust in legislative and executive institutions. The Arab Barometer Site in its fifth edition (2018–2019) published the percentages of trust in the political institutions of the Arab World (the Government, the Parliament, the judiciary), and we will specifically highlight the results related to trust in the Government and Parliament, where Iraq ranked second to last among Arab countries, with 19% trust in the Government as shown by chart (3) and 13% trust in the Council of Representatives as shown in chart (4).³ These percentages are a clear indicator of people’s dissatisfaction with the performance of the Government and Council of Representatives, and this is what therefore led to the decline in the voter turnout.

The degradation of services and in some cases the total lack of services provided by the Government pushed the Iraqi voter to lose faith progressively which is translated in boycotting the electoral process in the belief that it is a punishment for all members of the Council of Representatives or that the boycott will be a reason for the illegitimacy of the electoral process and the invalidation of its

2. Iraqi Parliament Monitor, “Members of the Council of Representatives According to their Electoral Cycle”, 2018 <http://www.miqpm.com>

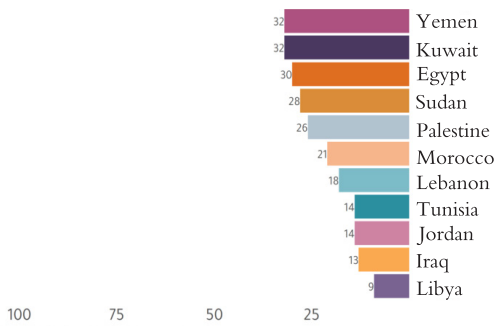
3. Dr. Abdel Wahab Kayyali, “Trust in Governments in the Arab World and the Risks of Generalization,” 2020. <https://www.arabbarometer.org/ar>

results. This common belief is wrong, as the percentage of electoral participation, no matter how low it is, does not affect the results of the elections, and this is what we have noticed in the provincial councils after 2003 and especially in Anbar province where the voter turnout was less than 1%, which means that the boycott percentage was almost 99%, a very high percentage that was never witnessed in any electoral process, nevertheless the result was not annulled and was recognized internationally and also by the United Nations and International Organizations at that time.⁴

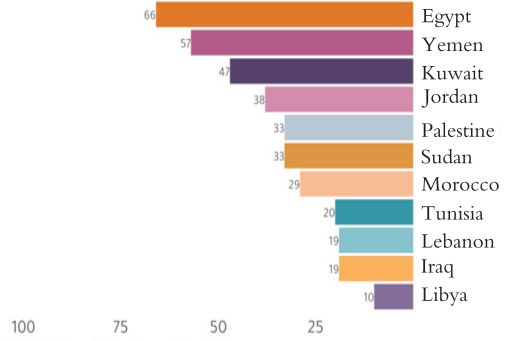
Chart number 3: Trust in the Government Parliament

Chart number 4: Trust in the

% of those who trust them or trust them a lot



% of those who trust them or trust them a lot



Perhaps the waves of peaceful demonstrations are the best evidence to the low or inexistent levels of trust in political institutions, the degradation of the overall situation in the country, and the gap between ruling class and people. What distinguished the 2019 October movement are the overwhelming presence of young people and the high percentage of female participation, with the big support of professional syndicates, unions and associations as well as Najaf’s religious authority⁵. The presence of these groups and in such big numbers in the demonstration can translate into a broader electoral participation, although intimidation and liquidation could hinder change and lead to a low voter turnout.

4. Saad Al Rawi, “Non-Electoral Participation... Reasons and Solutions”, 2019. <http://www.al-noor.se/article.asp?id=358724>

5. Hashem Al Rakabi, «A Rising Wave of Change in Iraq: Evaluating the Popular Movement that Iraq is Witnessing since 2018”, 2019.

<https://www.arab-reform.net/ar/publication>

In addition to what was previously mentioned, there are several reasons for non-electoral participation, and we will try to highlight what we consider as major and direct reason for the low percentage of eligible voters' participation to elections and the progressive decrease in electoral participation, cycle after cycle:

First: Seats allocation mechanism

As we previously mentioned, electoral systems vary from a country to another and from electoral process to another, and they are adopted as per the electoral legislations that the legislative power endorses. In Iraq, between 2005 and 2018, the proportional representation system was adopted with a change introduced in the number of electoral districts and the mechanism of seats allocation as well as the type of lists used in the voting process at every electoral cycle as shown in table (1). Doctor Saad El Abdeli presented an illustrative example of an electoral constituency formed of (4) political competitors and 5 seats to compare the potential outcomes of the adopted seat allocation mechanisms between the first electoral process after 2003 and the electoral process of 2018⁶ as clarified by table (2)

Table (1) Electoral systems used in Iraqi elections⁷

Variables	Election of the National Assembly 30/1/2005	Parliamentary Elections 15/12/2005	Parliamentary Elections 7/3/2010	Parliamentary Elections 30/4/2014	Parliamentary Elections 12/5/2018
Electoral system	Proportional representation	Proportional representation	Proportional representation	Proportional representation	Proportional representation
Number of electoral constituencies	Iraq as one electoral district	Each governorate is an electoral district	Each governorate is an electoral district	Each governorate is an electoral district	Each governorate is an electoral district
Seat allocation mechanism	Survival of the fittest	Survival of the fittest (average)	Electoral divisor	Sainte Laguë (modified) (1.6)	Sainte Laguë (modified) (1.7)
Type of list	Closed list	Closed list	Semi-open list	Semi-open list	Semi-open list

6. Fadel H. Al Amiri, historical development of Iraqi elections (1920–2014), electoral studies, January 1st 2015.

7. Fadel H. Al Amiri, Historical Evolution of Iraqi Elections (1920–2014), Electoral Studies, January 1st, 2015.

Table (2) comparison of the results of seats allocation mechanisms

Party name	Number of votes	Survival of the fittest	Electoral divisor	Sainte Laguë Modified 1.6	Sainte Laguë Modified 1.7
A	35000	2	3	2 or 3	2 or 3
B	21000	1	1	1 or 2	1 or 2
C	11000	1	1	1	1
D	8000	1	0	0	0
Total	75,000	5	5	5	5

We notice that the “survival of the fittest” method gives a bigger opportunity for small parties to obtain a seat in the Council of Representatives, and there is a big difference between electoral thresholds per list, as the threshold is higher for big lists compared to small ones. In the electoral divisor method, the threshold per seat is somehow balanced between large and subsequent lists, while in the modified Sainte Laguë method, the seat distribution between lists was relatively balanced, since the electoral threshold is also somehow balanced as it is the case for the electoral divisor method, yet it excludes small lists from the competition.

This in itself is a main reason for not participating in elections, as the majority of voters do not understand these calculations and the way they are harnessed either favorably or adversely. When voters go to cast their votes and the voting process is concluded, and the ballot counting starts, they are surprised by the fact that the majority of those they do not support won the elections and that the new lists did not obtain any seat, which makes them feel that their participation was useless. During the 2018 elections, irrespective of all that was said, the voters, even with a low turnout, participated to the exclusion of 221 members of Parliament, including MPs who used to win at every electoral process. Yet, the voters did not pay attention to this fact and failed to understand that their participation is valuable and has a big impact as it lead to changing two thirds of the Council of representatives members.

Second: Government Formation Process

In Iraq, after the end of the electoral process, negotiations and settlements between winners start, as all blocs have the ambition to obtain Ministerial portfolios reflecting the results of the elections, which forms a government that is the fruit of negotiations and quotas, not too dissimilar from previous ones. Each party controls specific Ministries to its advantage, without caring for the services people need and without ensuring a real oversight since the majority of parties are represented in the Government, and calling out corruption will adversely affect the ones who speak up, therefore everyone remains silent.

Such a process is emptying the regulatory authority from any opposition. The Council of Representatives did not include, at most of its sessions, a real opposition following up the Government performance, in an attempt to find mistakes and holding it accountable. This is why members of Governments are never worried about failing the people as accountability is absent, and there is no opposition to evaluate and monitor, which leads to more deterioration in services quality, poor living conditions, and frustration from a Government that only creates crises without addressing the practical reality that is growing worse day by day.

These two reasons are specifically considered by the voter, convinced that their participation was not useful as nothing changed with regards to the winners nor to the level of services. Nevertheless, the voter's ballot was not the reason behind the above-mentioned, it is rather the nature of the consensual system and the power sharing system between parties that justifies what is going on. We believe that changing one of these two reasons and making the voter impose the result of his vote by letting the winning party rule will make the system more efficient. This means setting a condition before the formation of the government that will prohibit any alliance or coalition before the government formation according to the real results achieved by all blocs since the parties that will not be part of the government will monitor the cabinet closely and create a true opposition pushing the Government to do the best it can to succeed and win the trust of the people in order to escape the political scrutiny of the opposition and to guarantee being elected in the upcoming elections. This is what happens in most democratic countries where in the presence of a ruling party changes the nature of electoral participation. Voters in Iraq have witnessed, over several electoral cycles, the failure of consensus and power sharing which pushed them not to participate. .

Third: Negative role of the media

On the other hand, the majority of media outlets spread skepticism and instigation messages months before the elections to obtain the compassion and support of the people. However, this skepticism has a negative connotation in the mind of voters and consecrates the ineffectiveness of electoral participation due to the repetition of these negative messages that have an anchoring effect on voters. In spite of the campaign launched by the Independent High Electoral Commission to educate voters, negativity prevailed.

Fourth: Calculation of Women Quota:

The nature of the Iraqi society was marked by a positive movement with regards to the political participation of women. Electoral laws after 2003 consecrated a woman quota of 25% in all electoral laws, which gave the opportunity for women to secure their representation in the legislative power. However, the nature of the Iraqi society curtails women's role. Although they represent 49% of the number of inhabitants, their representation is still limited to the minimum constitutional threshold that is 25%. Nonetheless Iraq ranks 72 out of 192 countries with regards to the percentage of women in Parliament, scoring 26.4%, slightly more than the international average of 24.3% and higher than the average registered in the MENA region (19%)⁸.

On the other hand, the Council of Representatives electoral law number 9 of 2020 that was ratified by the Council in 2021, in article 16 paragraph 1, stipulates that "25% of the seats of the CoR as a whole must be held by women", which means that the representation of women can exceed 25%. Yet in paragraph 4 of the same article, if the women quota criteria is satisfied according to the governorate elections results, there will be no other placement rule. Additionally, paragraph 9 states the following: "if the vacant seat belonged to a woman, it is not necessary that the woman be replaced by a woman unless not doing so would affect the percentage of women's representation"⁹, and this in itself is a violation of women's rights and contradictory to paragraph

8. "Women in Parliaments: Global and Regional Averages", Inter-Parliamentary Union. <http://archive.ipu.org/wmn-e/world.htm>

"Percentage of Women in National Parliaments", Inter-Parliamentary Union. Monthly ranking of women in national parliaments | Parline: the IPU's Open Data Platform.

9. Iraqi Parliament Elections Law No. (9) of 2020.

<https://parliament.iq/wp-content/uploads/2020/11.pdf>

one of the above mentioned article 16. This contradiction in the provisions of the law could lead to the lack of trust among women voters as these contradictory provisions violate their rights to have access to the decision making process and this will therefore lead to an increase in non-electoral participation.

Proposed policy alternatives and ways to implement them

After tackling the main reasons for not participating in the electoral and political process, as well as the challenges that impede an increase in participation and access to free and fair elections accepted by the people, we will propose the following political alternatives that could promote the participation to the electoral process.

First: Legal amendments

1. Respecting the amendments guaranteed by the new electoral law, including the prohibition of MPs movement before the Government formation, the adoption of medium size districts, and the adoption of the single vote system, which will limit political fragmentation, promote popular accountability and bring electoral justice.
2. Finding a legal deterrent to those who question the work of the Commission without supporting evidence. This can be a lifetime prohibition from running for office, as this behavior is very harmful for the democratic process. There is also a need to organize media campaigns promoting accountability and prosecution procedures against all those who question the electoral process or electoral officials.
3. Amending the law in order to replace a women candidate by another woman should the seat vacate, and ensuring a seat independent of the quota law to the woman who collects enough votes to win.
4. Working on amending article 12 of the electoral law to force candidates who win a seat in the Council of Representatives to implement their electoral program, by virtue of a restriction or a condition. According to the current situation, this amendment is highly necessary since electoral districts are medium sized in a specific geographic framework within a governorate, which means that it is not difficult for a candidate to be informed of the needs of the district where he is running for office, in order to be able to fulfill some of these urgent and basic needs through including them in thier electoral program. There should be a

periodic assessment of the performance of parliamentarians and what services they have delivered or the percentage of execution of their electoral programs.

Second: Awareness Campaigns

1. Having a broader and more comprehensive media role in electoral campaigns organized by the Independent High Electoral Commission, intensifying seminars, sessions and meetings held in districts and governorates and communicating with each group according to its geographic nature and customs and traditions to win additional supporters. Although organizing media campaigns to raise the awareness of voters and educate them about the electoral process requires more funds, however this increase in the financial resources needed could be very beneficial if the objective is achieved in case non-electoral participation decreases, which will give more credibility to the electoral process and its results as a whole, for this is one of the most important reasons for the required change.
2. In cooperation with the Independent High Electoral Commission and civil society organizations, the voter shall understand the importance of his vote and the fact that as the percentage of participation increases, the risk of fraud diminishes. In fact, when the voter practices his right to vote, it will not be possible for anyone else to use his voter registration card to vote instead of him, since the card will directly be deactivated for a one week period after being used for the first time.
3. Organizing broad awareness campaigns on the role of women in society and the importance of women free participation to elections, without any interference, especially in tribal or rural areas. These expanded discussion sessions will be organized with the Independent High Electoral Commission, civil society organizations, academics and political activists, with the participation of women. The sessions will tackle the role of women in the electoral process, with a focus on the importance of having women within the Council of Representatives to represent the Iraqi woman.
4. Document and educate voters on the procedures and work implemented by the Independent High Electoral Commission to highlight the integrity and transparency of these procedures, in addition to educating them on the electoral process and the voting mechanism which should start long before the elections.

It is possible to have commissions for youth, public servants or academics for instance, who will be selected periodically to accompany the Commission for a determined period becoming accustomed to its procedures. Later on, they will be able to convey what they have discovered to the Iraqis and to the group they belong to.

5. Communicating with universities and institute students in addition to school students to raise awareness about the participation of youth to bring about positive change within a society, as their participation will put an end to questioning the integrity and credibility of elections. It is possible to include a course in the curriculum about democratic education to bring up a generation conscious about its rights and obligations. This alternative can be achieved through organized governmental effort in coordination with the Independent High Electoral Commission.

To emphasize the importance of the role of youth, Al Jalifi's study in 2010 tried to identify the attitudes of university students towards the participation to municipal elections in Saudi Arabia. The study took an sample of BA students from different universities, and recommended to raising the awareness of Saudi university students about municipal election, its purpose, its importance and the phases of the electoral process, as well as reasons encouraging the youth to participate in the municipal election whilst presenting efficient solutions to the obstacles that the Saudi university students face and that limit their participation to municipal elections¹⁰.

Third: Training political actors (new parties)

Training new parties on ways to attract new voters from those who boycott the elections, and on developing electoral programs that will reduce voters apathy. Also, training them to select candidates who have a good knowledge about laws, do not trespass them, are good in engaging with others, have a good electoral culture, are capable of going down the streets and convincing people that their competencies and capabilities make them different¹¹.

10. Sami bin Abdul Rahman Al-Jilafi, "Attitudes of university youth towards participating in municipal council elections", Naif Arab University for Security Sciences, College of Graduate Studies, 2010

11. A former source, Saad Al-Rawi, «Restraining from the elections... its causes and treatment.» <http://www.alnoor.se/article.asp?id=358724>

Summary

The credibility of the electoral process is measured through the electoral turnout. Therefore, voter turnout should be increased in the upcoming elections which will give more credibility to the process, by tackling the reasons of non-electoral participation in previous rounds: seat allocation mechanism, formation of Government, negative role of the media, and calculation of the woman quota. Should the new electoral law solve some of these issues, additional efforts shall be made to come up with legislative amendments that will limit the skepticism campaigns, promote women participation opportunities, oblige candidates to implement their electoral programs, in addition to organizing awareness campaigns and training political actors (new parties).

Promoting Internal Democracy in Iraqi Political Parties

Wissam Shaker Al Saray

Introduction

Political parties are at the heart of democracy that is considered the best political system for the peaceful resolution of conflicts, and the respect of the political, social and economic rights of persons. Since article 1 of the Iraqi Constitution stipulates that the system of government is republican, representative, parliamentary and democratic¹, political parties are essential if we want to build a democratic experience that can fulfill the aspiration of the Iraqi people after long years of tyranny.

Iraq is a pioneer in political parties' formation, since the law on associations was issued in 1922 and organized the work of political entities and parties under the former monarchy, yet this experience did not have time to flourish, especially after repetitive coups in the Iraqi political history, which was a fatal blow to the civil society including political parties. "The use of violence to achieve political objectives" can summarize the major shifts in Iraq modern history, since the establishment of the Iraqi State in 1921, away from democratic practices and political parties' involvement in bringing about the desired political change.

Therefore, it is normal that the fall of Saddam Hussein regime in 2003 and the shift from the one party to multiple political parties, and from dictatorship to democracy, would create several issues, as it is the case in all emerging democracies. The main problem that the political system is suffering from is underdeveloped political parties due to the lack of "internal democracy", which paved the way for an abnormal equation in Iraq: a democratic political system based on political parties that lack democratic practices for decision making and political leadership.

To solve this problem, the paper argues that promoting internal democracy in Iraqi political parties is the best way to institutionalize them, since democratic practices nurture partisan rivalry among citizens, and produces more capable representatives, which guaranties the ability of a party to create special policies and programs, in addition to making political cadres understand the importance

1. Iraq's Constitution of 2005, Article One.

and efficiency of democracy in achieving political objectives, away from violent practices.

First axis: the reality of internal democracy in Iraqi parties

Internal democracy can be defined as the regulations and instructions a party adopts to prevent the arbitrary control over internal elections or the control exerted by the leader or a group of persons over the party's operation and guidance. All components and members of a party shall abide by its legal procedures and shall be held accountable before the official and legal entities stipulated in the party's by-laws².

Without the need to elaborate further on the theoretical concepts of internal democracy, academic literature identified several democracy standards in political parties, including the following³.

1. transparency: means ensuring open access to information and publishing all the private records of a party
2. Explicit by-laws including the basic principles of democracy like diversity, accountability, tolerance and gender equity.
3. Compliance between the party's democratic values and the party's practices.
4. Presence of a democratic mechanism for the resolution of possible conflicts within the party, to limit factionalism.
5. Accurate and recurrent organization of internal elections to fill vacant leadership positions.
6. Consolidating the advancement in ranks and positions based on merit rather than favoritism and nepotism.
7. Organizing conferences with a certain level of participation in the party's elections.
8. High level of decentralization within the party.
9. Timely rotation in leadership positions.

2 . A framework for democratic party building, institute for multiparty democracy, Netherlands, 2004,p11

3. I bid,p12.

Speaking about the reality of internal democracy in Iraqi parties, it is noticeable that the majority of parties did not have internal democracy procedures for several reasons, including their ideological background, or as a result of their internal organizational structure, which left a big negative impact on their by-laws. For this reason, political reform in Iraq is strongly linked to the reforms within political parties which will reform the democratic system as they represent a major part of the solution to provide a more stable political system which can meet the needs of its people.

After the establishment of the Iraqi political system in 2003, two types of parties participated to the political process: the parties that believe in democracy and find in their by-laws a “limited space” for democratic practices, and parties that do not believe in democracy as a social philosophy, and participate to the democratic process only to have access to power. These parties believe in one aspect of democracy which is the elections, as long as it leads to power, and it is normal for these types of parties not to pay great attention to promoting internal democracy as long as they do not believe in it as a form of governance.

The nature of the formation of Iraqi parties participating in the political process after 2003 played a major role in the stumbling internal democracy. Parties in general are divided into parties “of external origin” and parties “of internal and parliamentary origins”. Since successive dictatorial regimes in Iraq suppressed political parties and cancelled parliamentary activities, the majority of parties emerged as parties “of external origins” as a result of a political movement among the religious elite like Islamic parties for instance, or as a result of armed nationalist movements like Kurdish parties in North Iraq as well as secret movements that believe in the use of violence to get rid of dictatorships.

Therefore the nature of work within these social structures that have produced such parties did not give democracy a major role to play in the management of the internal affairs, which affected the nature of parties formed to express the political programs and objectives of these social structures, especially the basis from which the leadership of the party derives its political legitimacy. According to Maurice Duverger “Each society can gain insight into the consolidation and transfer of power within social structures, and this dominant belief determines the legitimacy of the commander, for each community creates its doctrine of legitimacy, and it is often a doctrine different from the doctrines of others⁴.

4. Maurice Duverger, Political Parties, The General Authority for Cultural Palaces, Cairo, 2011, p. 145

Despite the fact that the Iraqi constitution and the law on parties refers to democracy as a reference for the legitimacy of leadership, and that political parties working in democratic systems often give great care to having democratic administration only in appearance, we notice that Iraqi parties started leaning on other types of legitimacy like that of religious authorities, veterans, national struggle, and resistance of external occupancy instead of depending on democratic legitimacy. This leads to an increase in the control the party leadership has, and to forms of personal authority, as “the growth of power and the personalization of power” are two significant phenomena present in most political parties in Iraq. This goes against the growth of democracy according to Kaim who considered that the dilution of power and the strengthening of institutions is a basic characteristic of democracy’s growth.

The challenges that democracy in Iraqi parties is facing are diverse, including the large number of parties involved in the political process. These parties were initially armed groups that were either against the former regime or against foreign occupation, and later became political parties. The by-laws of any armed group is characterized by “totalitarianism and centralization” as the latter allows the leadership of the party to play a dominant role in controlling official procedures and non-official dynamics in the decision making process. Usually, in democratic parties, the leadership has a “coordination and communication” role between different bodies, while in centralized parties that do not apply internal democracy, the leadership takes all the decisions. In parties that were initially armed groups for security or military considerations, totalitarianism limits the scope of participation in decision-making that is only ensured through a strong leadership surrounded by a small circle, while in non-totalitarian parties, members and supporters have a role to play in the decisions related to some of the important topics, like choosing candidates and selecting the party’s leadership⁵. The proximity of political parties to the State caused a crisis at the level of the democratic experience. In fact, in addition to a growing economic wealth that brought about changing patterns at the level of political participation, parties became socially uprooted and depended more on the State. Parties therefore did not give priority to internal democracy as long as they were depending on the State rather than the society, since the access to government agencies is what guarantees

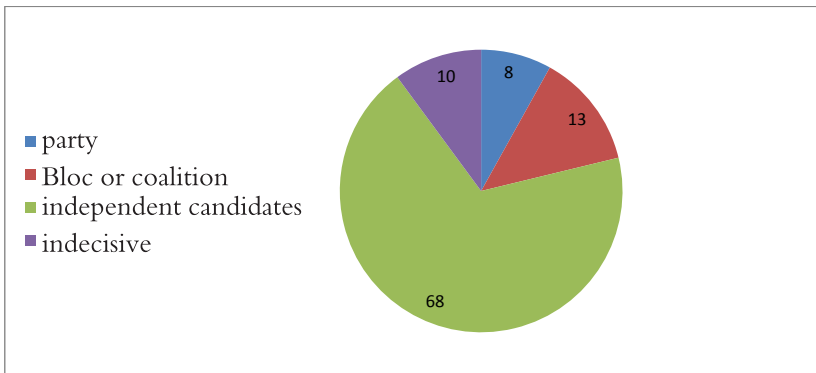
5. Gyda Marås Sindre, internal democracy in militant movement turned political parties: a comparison of partia aceh and fretilin, department of comparative politics, university of berrgen, P5-6

the access to financial resources that are invested in order to obtain additional electoral votes.

The direct correlation between the presence of the party within the government agencies and the access to resources led to the migration of parties to the State, which created a “communication crisis” between the public and political parties that in turn caused the rise of the populist discourse in Iraq. This pushed some to ask for the abolition of all parties involved in the political process, and the calls to “reform the political system” during the 2019 October protests were translated by setting fire to the headquarters of some political parties. This explains the absence of trust in political parties as a means to reform the political and economic situation in Iraq.

According to an opinion poll carried out by Al Bayan Center for Studies and Planning, only 8% of voters prefer to vote for parties, while 68% prefer to vote for independent candidates, and 13.4% prefer to vote for political coalitions and blocs⁶.

Figure (1): Voters preferences regarding candidates

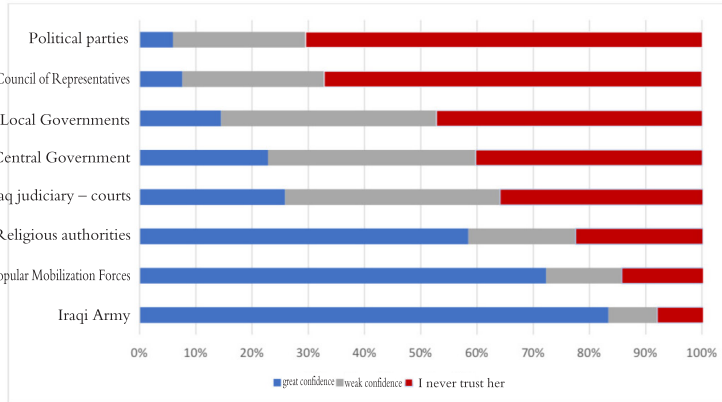


In another opinion poll prepared by the Iraqi 1001 Thoughts platform on citizens’ confidence in Iraqi public institutions, 10% said they trust political parties in Iraq. Parties ranked last compared to other public institutions in terms of citizens confidence, despite the fact that these parties are social and not governmental entities, and therefore they are supposed to be closer to society compared to other public institutions⁷.

6. Opinion Poll: Voters’ Attitudes to the Coming Elections in Iraq (Participation, Preferences, Priorities), Al-Bayan Center for Studies and Planning, Baghdad, 2017, p. 34

7. An opinion poll on the parliamentary elections in Iraq, Iraqi Thoughts Platform, 2018, p. page 2

Figure 2: level of confidence in Iraqi public institutions



Loosing trust in the experience of Iraqi parties led to the loss of trust in the political system and in all democratic means of change. For this reason, we witnessed a big gradual decline in the percentage of participation to parliamentary elections, from 79% in 2005 after the fall of Saddam Hussein to 62.4% in the 2010 elections, 60% in the 2014 elections and finally 44.52% in the 2018 elections⁸.

Entities that are not convinced in the democratic experience of Iraq invested in the proximity between political parties and the State and jumped into the social vacuum that traditional parties involved in the political process left behind. Therefore, separating the State from political parties is considered vital for the growth of democracy, because this separation transforms parties into social institutions instead of acting as pan governmental bureaucratic entities⁹.

The lack of democratic practices in Iraqi political parties is linked to several indicators and causes, namely the by-laws of these parties that assumed that centralization and totalitarianism in the leadership is the best way to ensure the unity of the party. The divisions resulting from the absence of democratic governance within parties and the failure in managing partisan disputes negatively affected partisan life.

8. Legislative elections record the lowest turnout since the fall of Saddam Hussein’s regime in 2003, France 24, 2018, at the link: <https://www.france24.com>

9. P. (Pepijn) Corduener, Democracy and the Entanglement of Political Parties and the State: Party–State Relations in 20th–Century France, Italy, and Germany, Comparative Political Studies, sage journals, 2019, P41

The majority of parties' by-laws are burdened with the obligations partisans have, without a reference to the rights associated with membership. In addition to this, some articles with a flexible formulation could lead to injustice towards a partisan in conflict with the party's leadership, especially articles related to keeping the parties' secrets confidential.

Parties' elections also face several challenges including the presence of an elected leader surrounded by a small circle of unelected members controlling the decision-making process. Decision, most of the times, are undertaken by a family circle or an interest based circle, which makes different bodies within the party lose their role in the decision making process in spite of the fact that the Iraqi law on parties stipulates, in article 6, the adoption by political parties of democratic mechanisms to select the party's leadership¹⁰, The conditions imposed by parties on the selection of candidates for the general assembly that elects the political leadership members render the process meaningless, as in the majorities of cases, members of the general assembly are not elected by the grassroots, and the atmosphere surrounding elections is not truly democratic.

One of the most substantive problems that led to a stumbling internal democracy within parties is funding. Usually, there are persons or organizations controlling the allocation of funds for the party and therefore having a say in determining the party's priorities and objectives. The more the national party's bodies have an institutional role to play in funding the budget, and the more the number of regions and individuals participating to this process increases, the more democratic the internal political power will be¹¹.

In Iraq, due to the absence of partisan membership fees, as well as the absence of a donation culture among pressure groups, and the lack of governmental support for parties – despite the fact that this provision is stipulated in article 17 of the 2015 law on parties according to which the commission shall submit a proposal to the Ministry of Finance for the total yearly amount of financial aid for political parties – parties financially depend either on the money they get from partisans who work in one of the State's entities, or on external funding, and in both cases the funds are in the hands of the higher leadership of the party. Due to the absence of regulations related to covering the party's finances, it is normal that they will have a limited

10. Iraqi Parties Law 2015, Article 6.

11. A framework for democratic party building, institute for multiparty democracy, Netherlands, 2004, p12

role in decision making in favor of the higher leadership of the party and its close circle.

Second axis: Mechanisms promoting democratic practices in Iraq political parties

Promoting internal democracy in political parties leads to developing parties on the institutional level, which means that parties will become more organized and more efficient in implementing their political programs, be it opposition or regime supporting parties. Therefore, institutionalized parties are more capable of meeting the needs of citizens and the interests of partisans and voters¹², Democratic practices could lead to increasing the life cycle of a party as the presence of internal democracy means that there are clear and transparent mechanisms for internal conflict resolution, which can solve the fragmentation issue in Iraqi partisan life due to recurrent dissension inside parties. Yet at the same time, the promotion of democratic practices by parties arbitrarily is a difficult mission as long as no concrete positive relationship exists between the implementation of internal democracy and the attraction of a bigger number of voters.

For this reason, institutional reform within political parties should be imposed externally, through two options: the reform of the legal framework organizing partisan life, and advocacy campaigns by the civil society to develop and reform the institutions of the Iraqi democratic political system.

This paper will focus on the first option due to its importance and feasibility to achieve a true reform within parties in Iraq. Amending the 2015 law on political parties is a vital step towards the institutionalization of parties through the promotion of internal democracy, and this can be achieved through the following suggestions:

First: The law on parties should put an end to dissension within parties, in order to facilitate and organize this political process. With a limited number of political parties, financial support provided by the State will be efficient in order to encourage those parties to cut their ties to governmental institutions. Decreasing the number of parties will also facilitate tracking illegal funding. The presence of a high number of registered parties during elections, around 230 parties so far, made things harder for the Commission, and for this reason the former Director General of Political Parties Department M. Saad Al Abdeli considers that there is

12. Ibid., p8.

a need to activate the monitoring role of the department. The law on parties does not mention the position to take towards parties that suspend their activities on the field and do not participate to the political and electoral life. Activating the monitoring role of the department and implementing the 2020 electoral law that limited the role of the party in the electoral process as it adopted small districts and independent candidacies, will eventually lead to decreasing the number of parties in Iraq on the medium term¹³.

Second: Imposing the principle of rotation of power as it is possible, through the law on parties, to limit the mandate of the higher leadership to two consecutive mandates only. This could solve the issue of restricted small circles of influence surrounding the leadership, in addition to avoiding the transformation of parties into family businesses. The rotation of power will pave the way for diverse generations of leaderships which will promote democratic competition within parties.

Third: It is important that the law on parties mentions that the “decentralization” principle shall be implemented in the internal by-laws of parties participating to the political process, since decentralization encourages democratic practices and limits totalitarianism or the dominance of the higher leadership of the party over all the decisions, in order for the leadership to become a mere coordinator between the party’s bodies instead of managing them. According to the head of the Political Parties Department in the Independent High Electoral Commission M. Saad Al Abdali, the majority of powers in a party are dominated by a centralized leadership, and often the competences of leaders of branches in governorates are marginal.

Fourth: Stressing on the importance of arbitration bodies within parties in charge of conflict resolution according to parties’ rules and regulations. These bodies should be elected by the general assembly instead of being nominated by the higher leadership, and the need to hold transparent arbitration sessions in presence of the commission for supervision and ratification shall be emphasized, while prohibiting the expulsion of any member without the approval of elected arbitration bodies.

Fifth: The importance of focusing on fighting the illegal funding of political parties, as it is the main reason behind the lack of democratic practices, and in this context we do not need to amend the law on parties as much as we need to

13. A virtual interview with the former Director-General of the Political Parties Department in the Independent Elections Commission and the expert in party and electoral affairs, Mr. Saad Al-Abdali, 12/3/2020.

enforce its articles especially the monitoring role played by the Commission and the Financial Control Office of Iraq.¹⁴

Sixth: In spite of the fact that the law on parties stressed on the selection of the leadership through democratic means, it is necessary to make sure that democratic means are used in order to design and take decisions, in addition to stress on the importance of elected institutions within parties as these are considered indispensable bodies for the design of policies and political directions the party will take.

Seventh: Stressing on the importance of financial assistance to fight illegal funding and promoting values and democratic development, through the publishing, by the Commission, of a yearly report on internal democracy in Iraqi political parties, and the provision of financial incentives. This could take the form of a percentage of financial assistance given to parties working on developing democratic practices in managing their internal affairs, according to standards set by the Commission,

14. The Iraqi Parties Law includes a large number of articles on combating illegal financing, and among these articles are the following: Article -11-Second-D- states that the party submits a written pledge to open a bank account for the party within (30) thirty days of the political party being considered legal, and this Which enables the High Commission to monitor the financial affairs of the party, and Article 32, paragraph (3), stipulates that the activity of the political party be suspended for six (6) months based on a reasoned request from the Parties Department in the event that it is proven that it has received funds from foreign bodies in violation of the provisions of this law, and the political party is dissolved In the event of this violation being repeated, the Parties Law has specified the party's funding sources in Article 33 – with its members' subscriptions, internal donations and grants, the returns on investment of its funds in accordance with this law, and financial subsidies from the state's general budget in accordance with the criteria set forth in this law. 37 – To regulate donations by emphasizing that first: A political party may not receive donations from self-financed public institutions and companies, from commercial and banking companies whose capital is part of the state. Second: All donations sent from foreign persons, states or organizations are prohibited. Third: It is forbidden to donate to the party in material goods or cash originally prepared to gain an illegal benefit for the party or the donor. Also, Article – 38 – worked to combat the illegal profit of the parties, as It stipulated that a political party may not conduct commercial business with the intent of profit, except for (publishing, preparing and distributing publications, pamphlets or other advertising materials, political and cultural bulletins, social and cultural activities, banking interests, and selling and renting property owned by it), while the article reinforced – 39-d of state control over the party's financial activities by including the absence of important points, namely (first: the party deposits its money in Iraqi banks, second: the party keeps regular records of accounts that include its revenues and expenses, third: the party submits an annual report on its accounts prepared by a licensed chartered accountant's office Fourth: The Office of Financial Supervision submits a final report on the financial conditions of the parties to the House of Representatives, the Ministers, and the Parties Department.

or imposing sanctions on non-compliant parties. This can be achieved through the amendment of article 32 of the law on parties that stipulate the need to withhold the assistance from a party for a period of six months pursuant to a reasoned request submitted by the party's department and by virtue of a judicial decision in case the party commits any of the below:

- a- Acting against the rights or freedoms of the State's institutions and other parties, syndicates, unions, and non-governmental organizations.
- b- Interfering in the internal affairs of other countries to the detriment of Iraq's higher interests.

A paragraph c could be added about the failure to respect democratic practices within parties.

It is also possible to amend article 44 of the law on parties as it stipulates the distribution of financial aid on political parties according to the following: 20% equally for political parties registered as per the provisions of this law, 80% for parties represented in the Council of Representatives, according to the number of seats won by its candidates in parliamentary elections, as it is important to allocate an additional percentage for parties that respect democratic practices in their internal by-laws, pursuant to the annual report published by the Commission about internal democracy in Iraqi registered political parties.

The problem is that the federal court of Iraq appealed article 44 on the financial assistance provided to parties as per the request submitted by some civil society organizations.

The appealed law should be referred again to the Council of Representatives in order for an alternative law to be passed in light of what was mentioned by the former director of the Political Parties Department M. Saad Al Abdeli. He stressed on the fact that there is a new proposition for the distribution of financial aid based on the relationship between the number of votes obtained by the party in the elections and the financial shares presented to the party. Accordingly, the principle of "democratic practices" shall be included in the new draft proposition

of article 44 that the Council of Representatives is supposed to vote on again¹⁵.

Third axes: promoting democratic practices in Iraqi parties, challenges and opportunities

First: Possible challenges

1. Amending the law on parties is not an easy process as it is difficult to ensure the approval, by leaders of strong political blocs in the CoR, of legal provisions that will limit their power over the parties which decisions they control and which policies they draw.

15. The subsidy process is an essential option; To combat illicit financing and to promote democratic values and practices, the Department of Parties headed by Mr. Saad Al-Abdali developed in 2017, a number of criteria that were submitted to the Board of Commissioners, which must be taken into consideration, as follows:

- I. The goal of government funding in all international experiences is to allocate funds from the public budget; For the purpose of enabling parties to carry out their usual activities and work to promote political, partisan and democratic development so that those parties do not have to resort to suspicious sources of funding or to roam public money.
- II. that the amount of government financial aid is sufficient; To achieve the goal set out in paragraph (1) above, and as it is said that (democracy is expensive), but if the amounts allocated to the subsidy are small amounts, the goal of the government grant will vanish and will not be achieved.
- III. The amount of government financial aid should not be too large or exaggerated, for the following reasons:
 - A – The allocation of large sums will lead to arousing popular resentment, noting that these sums are from taxpayers' money, and that they will be deducted from the funds allocated for services, health, education and security.
 - B – Allocating large sums of money will encourage the emergence of many fictitious parties or so-called (party shops), in the hope of obtaining government subsidy funds.
- IV. If the number of authorized parties is taken into consideration, the situation with the presence of (80) authorized parties (so far), will differ when the number of approved political parties is 270 (based on the number of applications submitted to the department).
- V. The need to take into account the economic and financial situation of the country in the years of granting government financial aid.
- VI. Taking into account that this subsidy is an annual subsidy, meaning that it will be provided not only in the election year (in which party expenditures increase), but will be provided to the political party in the years following the election year, noting the decrease in party spending in the three years that fall between the elections and another.

2. The weakness of State institutions is an obstacle to the implementation of laws, and this is why the law on parties includes articles related to fighting illegal funding, yet there is no serious effort made to enforce these articles by the Independent High Electoral Commission nor by the financial control office. Political interferences in the Commission's affairs weakened its capacity to organize party life in Iraq.
3. The absence of a banking and financial system in Iraq can cripple the ability to track illegal funding of political parties. In an interview with the former director of the Parties Department M. Saad Al Abdelli. He mentioned that in spite of the fact that the Commission obliged all parties to open a bank account under the supervision of the financial control office, the facts show that the majority of parties' activities do not go through banking channels due to the underdeveloped banking and financial system in Iraq. The majority of financial transactions are done through cash payment which means that they are outside the control of the Commission and the financial control office.

Second: Possible opportunities

1. The public opinion and civil society organizations in Iraq can act as a pressure card for the amendment of the law on parties in conformity with the promotion of democratic practices within political parties. The experience of popular pressure for the amendment of the electoral law is an example that can be repeated with the law on parties, provided that civil society organizations prepare advocacy campaigns to familiarize the public opinion with the importance of this law and its impact on political reform.
2. It is possible for small political parties and independent representatives in the Council to have a supporting vote for the development of parties' internal democracy, especially with regards to combatting illegal funding, and stressing on the rotation of power to limit the dominance of persons over the political Iraqi scene.
3. The concept of "decentralization" adopted by parties can attract some parliamentarians from big parties representing their governorates in the Council of Representatives as some complain from the hegemony exerted by Baghdad parties' branches over some strategic decisions in general, as well as decisions related to their cities. We have indeed witnessed coordination among governorate's representatives from different parties on files specific

to their cities, as it is the case for parliamentarians lobbying for an increase in the share of the governorate of Basra from the federal budget, or the coordination between representatives of governorates affected by terrorism.

4. Advocacy campaigns targeting the community and the parties' grassroots on the importance of internal democracy in political parties could lead to having a public opinion within political parties. There are in fact many young citizens who joined political parties after 2003 without necessary being part of neither the religious elite nor those who struggled against dictatorship and therefore democratic legitimacy will be decisive for their access to advanced positions within the parties they belong to.

Conclusion

The political system in Iraq is facing numerous challenges on several fronts, and neglecting political reforms will mean that democracy will face an existential challenge in a country that lived long years of tyranny. The political system is suffering from the society's lack of trust in its institutions, which created political instability. Therefore, the powers that are not convinced with the system present inside or outside Iraq, can invest in the lack of stability to overthrow democracy and lead the country to chaos.

Iraqis are requested more than ever to implement urgent reforms on all levels in order to promote the trust of the community in the State's institutions. Promoting internal democracy will be an entry for the reform of parties in a way that will transform these entities into institutions capable of producing programs of economic development and rebuilding bridges of confidence between the society and the institutions of the democratic political system.

Despite the fact that the 2015 law on parties was an important milestone in organizing the life of political parties, it needs amendments that will make political parties more institutionalized through suggestions that promote parties' internal democracy. Yet it is expected that the parties benefiting from the status quo be strongly opposed to these suggestions, nevertheless popular pressure as well as civil society institutions and small parties will push the legislative power to accept some of the suggestions submitted in this paper which will not have a big impact on the experience of parties only but also one the course of the democratic political system in Iraq.

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Election Security

Zahraa Kadhim Al Sadr

Introduction

In any electoral process, the authorities take several steps to guarantee that voters, candidates, polling officers and observers as well as other individuals working in elections do not feel scared or harmed due to their participation in the electoral process, and to ensure sensitive electoral items are kept in a safe place. The security conditions differ clearly according to the context of elections. In regions witnessing continuous crisis, or where the probability of violence is high, one should pay attention to several security factors, and this could require the deployment of a big number of security officers like police and army to protect polling stations and citizens. In each electoral cycle, plans to ensure the transportation and safety of electoral items should be developed, especially ballot papers and ballot boxes. Preventive measures should also be taken to protect the technological means used in the electoral process from any manipulation or hacking. This is a moral and physical aspect of security that differs from the special security aspect related to imposing authority and it reflects the general popular will, despite the pressures that will be mentioned in this paper. We also consider that taking these points into account is extremely important at this phase as Iraq is heading towards early elections as per a new law.

After 2018 elections, and with the questioning of the results, the objections and the cases of fraud reported increased, despite the use of the latest machines to ensure electronic polling and counting that supports biometric cards which should decrease the level of fraud. There is a need to have a radical change in the upcoming elections taking into account the continuing decline in voter turnout with every electoral cycle.

Doubting the results of elections has several negative repercussions, like the delay in Government formation and the appeal against the formation, as well as the disagreement over which bloc is the largest, due to the lack of clarity with regards to regions and audiences, and the emergence of a Parliamentary seats stock

exchange phenomena which put a price on the parliamentary seats. Even though some parties were able to form bigger blocs, they faded away and disappeared a while after the formation, which exposed all the deals that were solely made on material basis. The survival of these deals was impossible and they fell apart a few months after the revolution with the resignation of the Prime Minister and the formation of a new Government that represents the people and not the largest bloc.

These demands were the fruit of the idea whereby the members of the Council of Representatives should be the real representatives of their constituencies. The representation that was previously based on lists and candidates became at the service of big powers only, despite the fact that democratic interest implies the presence of several big and influential parties. Nevertheless, the implementation of this idea in Iraq took a different turn, as the number of registered parties according to the electoral commission reached 204 in 2018, while the number continued to grow to reach currently 438, including established parties, registered parties and parties under registration.¹

The solution is in changing the electoral law, and this is in fact what happened yet there are too many things to be taken into account after a legislative amendment, to avoid previous mistakes and possible new ones, and this is what we will highlight in a list of proposals that will help us explain and identify the problem and its suggested solutions.

Since the implementation of the democratic system in Iraq after 2003, the relationship with the regime evolved with every new Government. In the beginning it was a shy relationship represented by closed lists with Iraq as a single constituency, and the winning list will guarantee the access of its candidates to the Council of Representatives. Later on, open lists have been merged with closed lists by allowing the voter to choose his list and his candidate in the ballot.

At that time, several constituencies were formed but only on the level of governorates, and each governorate with its districts and sub-districts was one electoral constituency. After the October revolution, a new reality was imposed and new early elections were to be held under a new electoral law based on medium size electoral districts. Each governorate is divided into several constituencies according to the number of seats reserved for the women quota to guarantee the minimum

1. "The Election Commission reveals the number of alliances and parties registered with it," Iraqi News Agency, January 18, 2021, <https://bit.ly/3c19CXV>

women representation, in light of the popular density in each constituency, provided that it is no less than 3 and no more than 5 seats.

This law was a quantum leap in democracy practice, and is the result of the development of the political process, since candidacy will be individual in a specific district within a governorate, which will increase competition between candidates instead of competition between political blocs. It is possible for parties to let their intermediate level members run for office without announcing their affiliations in order to give this impression of being independent, especially new faces that are not known to be affiliated to any movement, party or bloc.

Yet that law contains caveats that can be summarized according to their importance

1. With individual candidacy, the formation of a government will be more difficult, especially after the previous elections, when the government formation was delayed due to the need to determine the biggest bloc. This means in other terms that guaranteeing that candidates remain with the same alliances is more difficult and is a true challenge, since the organizing forces will need guarantees to support candidates and few parties will be able to control them after their victory, especially if they were running as independent candidates. This is why several forces joined alliances and signed agreements to form coalitions after the elections, or signed specific agreements with candidates in an attempt to link them to the alliance that supports them during their campaigns.
2. Intensification of regional competition, fear of intimidation and threats targeting candidates who stand a chance to win by powerful ones or by candidates belonging to armed factions who may exert a psychological pressure on a specific candidate or threaten others in the same district, which will push several persons to withdraw from this competition and avoid friction and clashes with these influential powers.
3. It is in the interest of establishment parties that the voter turnout be low which will guarantee the victory of their candidates in most of the districts. There might be some discouragement from going to election and the biggest issue will be elections held according to the new law and producing the same type of governments with the same scores and formulas, which will be a fatal blow for the people's trust in the Iraqi political system, and this is the most dangerous repercussion of all.

Required aspects of electoral security

1. Candidates' freedom to run for office: some forces could exert pressure on the politicians who were on their lists in previous elections and won a parliamentary seat, to run for office under the condition of joining their blocs and documenting their affiliations in written agreements to prevent them from joining other blocs later. According to the new law, joining blocs only happens when a government is formed, in order for the candidate to feel safe in the path he/she chooses and not to feel obliged to represent a political entity or not to run for office, without mentioning the repercussions of having blocs control candidates, even if they are independent.
2. Freedom of expression of the electoral program: Several electoral programs will be presented and the State shall guarantee for each candidate the freedom of explaining his electoral program without intimidation if his/her program is contrary to other political entities' orientations.
3. Freedom of selecting candidates: In the context of an accurate and honest control during the elections, it shall be guaranteed that no violations are committed to oblige voters to vote for a certain candidate, as intimidation is an important factor that deprives voters from the freedom of selecting the candidates they prefer.
4. Reading the ballots without manipulating the results: The practical transparency of elections is very important since fraud will make citizens lose trust in the electoral process as a whole and will increase the gap between the Government and the people. Manipulating ballot boxes can be implemented in different ways which shall be avoided by specific laws and regulations that impose on the relevant authorities the use of biometric card and the scrutiny and counting of votes.
 - a. The biometric card should be used instead of the electronic card but the problem is that people do not update their biometric information when the Commission and its teams are ready for this process. They only update the information right before the elections after being encouraged by political forces and candidates, when there is no possibility to do so as the Commission is busy with the electoral processes. In order to achieve this objective, the government can adopt the biometric card as an official document in the State's districts

during the official transactions that citizens complete, which will oblige them to acquire the card and update it regularly. This will decrease the risk of fraud through the use of the biometric cards of those who do not go to vote or decide not to participate to the elections.

- b. Include information for each of Iraq's governorates in special absentee polling stations in order to guarantee that the citizen votes for the candidate he wants from his district.
- c. Prevent citizens abroad from voting unless they have a biometric card.
1. Weapons and political funds: Weapons and political funds control a major part of voters, knowingly or unknowingly, and these methods were clearly adopted during the previous elections. Militias used violence and intimidation to impose on voters specific candidates and intimidated strong candidates obliging them to withdraw from the elections. Some candidates also used their executive positions in the government to transfer public funds and provide services in the name of a governmental official to bribe the public, which is also considered public funds embezzlement.

Suggested mechanisms:

Taking care of updating the biometric card and mobilizing the teams of the high commission to achieve the full coverage of all voters is necessary. According to the initiative of M. Sayyid Ammar Al Hakim, head of Al Hikma National Movement, the biometric card shall be considered as an official document in governmental transactions to make sure people get it and use it, which will decrease the percentage of fraud, even with the decline in voters' turnout if all citizens obtain their cards. This initiative was adopted by the government that obliged the public servants to obtain the biometric card within a two-month deadline.

This will lead to several results, like developing and updating a voters register and knowing how they are geographically distributed as well as decreasing the fraud percentage and motivating citizens to participate to elections.

As for the rest of the caveats, they will require a stronger popular will to exert pressure on the current or future government to confine arms to the State, expose corruption through the use of public funds or governmental influence to promote candidates at the State's expense.

The Sectarian Rhetoric of Elections in Disputed Areas: Kirkuk as a case study

Dr. Meeraj Al-Hadidi

It was acknowledged that the Iraqi constitution, the political parties' law, and all laws related to the political process were prepared to prevent all forms of sectarian rhetoric. However, the situation in Kirkuk was and still is based on this rhetoric, and it has not changed over the past seventeen years. The elections are nothing but a nurturing and fertile environment for this rhetoric, and a method that has proven to be successful in helping to reach the highest positions in power. This has led to this disease being entrenched among the members of the multi-sectarian and multinational society, making it one of the most prominent problems facing the disputed areas in general and Kirkuk in particular. This particularity lies in the fact that the disputed areas in the rest of the governorates are made out of the governorate's clear majority but, there are specific areas that have a different and disputed social fabric within this governorate. As for Kirkuk, the whole governorate, including the entirety of its administrative borders, is considered a disputed area. It consists of three main components, with each of them claiming that it is entitled to Kirkuk. From here, the conflict started to cast a shadow on the members of Kirkuk's society, fueling nationalist calls and undermining the national identity at all levels, whether the performance, the rhetoric, or accountability.

The electoral composition of disputed areas

In order to win the votes of the people, political parties develop an electoral program, which they work to publish so it can reach the largest number possible of voters. This is a standard practice in every country in the world. As for Iraq, the situation in most governorates is not different in principle. However, the situation is completely different in some governorates, especially those with various groups making up their societies. This is when these areas are referred to as disputed areas.

These areas are not governed by electoral programs or a partisan ideology. The main criterion when it comes to choosing the candidate depends entirely on the nationalist or sectarian orientation, regardless of the candidate personality, even if s/he is not fit for election. In this sense, the electoral vision in these areas is based on the idea of "help your brother, whether he was the oppressor or the oppressed."

Of course, following this path for seventeen years is unacceptable and has nothing to do with democracy, which was established for the sake of lofty principles. The most important of these principles is choosing the right person in the right place regardless of his color, religion, and nationality, as these characteristics are only personal ones that the person is associated with involuntarily, while his personal will play no role in identifying them. This, therefore, means that such factors should not necessarily constitute an influencing factor for the voter not to vote for a candidate that has a different nationalist view in Kirkuk.

However, this practice that became a standard in disputed areas in general and Kirkuk, in particular, had cast its shadow over this bad heresy, and this is the least we can call it. Looking at the social center this standard practice creates through the feeling of it being mandatory and the necessity of abiding by it, voting based on identity has become one of the constants of this city, in line with the standard practice that has prevailed in this governorate since the political system in Iraq changed.

Sectarian rhetoric is a priority in Kirkuk

The use of sectarian propaganda increases with every election cycle, feeding the complexity of the political scene. As the electoral campaigns season approaches, the conflict rages between the political parties, with their various sectarian, ethnic, and religious orientations, amid the electoral fever and the propaganda that uses the sect, ethnicity, and religion as discriminatory characteristics, and candidates think that such rhetoric will grant them a 4-year membership in the parliament. The electoral conflict in Iraq reaches the point of exchanging accusations between the candidates, showcasing discriminatory behavior, playing the victim, reviving historical injustice, and using the feeling of victimization, which was the inevitable result of the political deterioration the country is witnessing.

When discussing the electoral campaign samples and the rhetoric used by Kirkuk's components, we notice the electoral advertisement of one of the Turkmen candidates, in which they wrote "vote for the Turkmen who has proven his ability to defend the rights of Turkmen in Kirkuk¹."

"Vote for the Turkmen" is an expression that gives a clear representation of the electoral propaganda used by several candidates in Kirkuk, as it comes in a regional and nationalist context.

1. An article on a picture of the Turkmen candidate Jassim Muhammad al-Bayati in the 2018 elections.

On the other hand, the Arab candidate, specifically during the latest elections and in light of the army's entry to Kirkuk, boosted the sectarian rhetoric, addressing supporters with the tone of an oppressed person, stressing the importance of supporting him and the fact that they are second-class citizens. Others add during an electoral gathering for his supporters: "The Agal, the Agal." By that, they mean to call on people to preserve the Agal after it was insulted², in a reference to the practices carried out by the Kurds against Arabs and their marginalization during the displacement period before the army entered Kirkuk.

As for the Kurdish rhetoric, the expressions "Kirkuk is the heart of Kurdistan"³ or "Kirkuk is part of Kurdistan and will remain as such" dominate most of the propaganda lists of the Kurdish component, in accompanied by the flag that decorates them, which irritates other groups.

Things do not stop there. When Kirkuk was one electoral district, even the photos of the Kurdish candidates for example could not be found in Arab or Turkmen regions and vice versa. This is due to two reasons:

First: the candidate's conviction of the uselessness of having a photo there due to the rhetoric adopted in her/his electoral campaign, and therefore s/he will not find anyone to vote for him in these regions.

Second: it is a social problem as the photo will be torn a short while after it is put up.

After comparing these discourses with other electoral discourses, the difference will be clear and we will find that the ethno-sectarian rhetoric is dominant in Kirkuk. If we take the Victory Alliance, for example, we find that most of the candidates' photos contain cross-sectarian and cross-national slogans such as "through unity, Iraq can progress" and "citizens come first". The same thing applies to the National Alliance, which adopted the phrase "patriotism to all Iraqis". These comparisons highlight the seriousness of the situation in Kirkuk, which consists of a continuously tense environment.

2.Speech attributed to Sheikh Muhaimin Al-Hamdani, candidate of the Arab Alliance in Kirkuk in the 2018 elections.

3. A phrase found in most Kurdish headquarters and their propaganda, and it means Kirkuk, the heart of Kurdistan.

Kirkuk's multiple electoral districts are problems disguised as solutions

The Iraqi parliament approved the new electoral law no. 9, which was based on multiple electoral districts, in 2020. This came in line with the demands of the popular demonstrations that had emphasized their desire to divide the governorates into a number of electoral districts to prevent the domination of large parties and give young people the chance to enter the electoral race. It might have been easy to discuss the option of multiple districts, but the situation was completely different before its promulgation and the discussions that took place in this regard, were disputing how the districts are to be arranged in a way compatible with the parties' size, interests and, constituencies. Each wanted the district where they enjoyed the support of the popular majority to ensure victory. This continued until an agreement was reached whereby districts are divided according to the female quota of each. This is unusual in the countries that adopt this system, as it is known that there are two systems in this regard. The first one is based on the population density, while the second is in accordance with the governorate's local administrations. Baghdad had the largest number of districts with 17 districts, and the same solution was applied to the rest of the governorates, except for Kirkuk, where voting on its districts was postponed twice due to disputes related to the distribution mechanism, as each party attempted to expand districts to cover all their support base, ensuring it is not splitted into different districts.

Kirkuk was divided into three electoral districts, the first one of which consists of Kirkuk District to the east, in addition to Dibis District, a part from the side of Altun Kupri, and a part from the Daquq District, particularly the Daquq Registration Center. Five seats were added to this electoral district, 4 seats for men and 1 for women.

The second electoral district consists of Kirkuk District to the center, representing the depth of the governorate, in addition to Daquq District, parts from the side of Altun Kupri, Taza, Yaychi, and Bashir, along with apart from the side of Al-Rashad. It accounts for 4 seats, 3 seats for men and 1 for women.

The final electoral district consists of Hawija District, Ryad, a part from the side of Al-Zab, and various parts from Dibis District, from the side of Taza, and the side of Al-Rashad. It holds 3 seats, 2 seats for men and 1 for women.

In the political context of the division of the various electoral districts, the Arabs

and the Kurds considered that the geographical distribution and population density constitute the reality of the situation. However, Turkmens were not satisfied with this division to a certain extent. They presented a proposition to solve the crisis, which considered Kirkuk to be an exceptional case with 4 or 3 electoral districts according to the ethnicities. It also called for the amendment of the number of seats in each district by reducing the number of the northern district's seats from 5 to 4, maintaining the western district's 3 seats, and increasing the number of seats in the central district, which is the subject of the largest dispute, from 4 to 5 seats, to achieve fairness. The Kurds have remained silent in regards to this amendment without demanding it because it might cost them an electoral seat, while the Arabs did not react to it in any way because they have three guaranteed seats and are likely to win the fourth one in the central district. The proposal did not, therefore, see any consensus between the components.

Some people confirm⁴ that the distribution of the electoral districts greatly benefitted the Kurds and the Arabs, which indicates that they were drawn to serve the interests of the political forces away from any scientific principles and based on the number of citizens. This raises great problems in Kirkuk. In addition, the agreed division will not constitute a solution as long as the partisan and component-dominated view is prevailing. Therefore, there is no glimmer of hope as long as such identities still rule the influence and interests. The electoral districts' system is not a solution as much as it is a service to the powerful political forces, which have drawn the boundaries of the governorate's electoral districts according to their interests, while the electoral districts could exacerbate the existing crisis between Kirkuk's components.

The crises are not limited to the establishment of electoral districts purely based on interests. There are other reasons behind these crises, the most important one of which is the absence of a true representative of Kirkuk, which has lead Kurds and Arabs not to vote for Turkmen candidates and vice versa, in addition to the sectarian and partisan affiliations in this governorate.

The specialists following up on these districts find themselves in front of a pure division between the components. Even if this division has its reasons and motives, it still carries societal problems for the future. If we are to review the most important problems of this division, they are as follows:

4. Dr. Ihsan Al-Shammari, a report published on the following link:
<https://www.aljazeera.net/news>

1. Dividing Kirkuk into specified areas for the different nationalities will cast a shadow over its society and cause a societal division between the sects of Kirkuk, which is something that should be abolished along with the region-based division in order to highlight the spirit of citizenship.
2. This division is considered a means and a fertile environment for candidates to spread their sectarian rhetoric among the members of their sect to win their sympathy and encourage voting for them. This would boost hatred towards the members of the other sects, which risks turning into a true disaster. Even if we agree that a mobilization rhetoric is a necessity to win the votes, sectarian rhetoric is one of the reasons behind the societal divisions.
3. The great reluctance to take part in the elections due to some of the candidates of a sect running in an electoral district where the majority is of another sect. This situation would push a lot of people to not cast their votes thinking that they will not make a difference since the candidate they support will lose anyway because he is running in a district where the majority is of another sect.
4. The final and possibly the most important reason that leads to this division is the lack of trust between the components, whether at the level of political representatives or society as a whole, which led to this form of division.

The parliamentary performance of Kirkuk's representatives, an apparent agreement, and a hidden division

There is no doubt that one of the outcomes of an electoral system that considers the governorate to be a single electoral district is that it pushes its deputies to be united, regardless of the disputes between them inside of the governorate, in order to obtain the best possible benefits and privileges for the governorate they represent. This is an established reality when it comes to the parliamentary work of the deputies of most of the governorates, except Kirkuk. Kirkuk was a single electoral district from 2010 to 2018, but its representatives did not do it justice because of the dispersion among them in Baghdad. So, how do you think things would be when it is divided into region-based electoral districts? The representatives were not up to the responsibility of representing a united Kirkuk. Instead, each deputy demanded benefits for his sect in the governorate, disregarding the remaining sects, and the same thing happened with the other deputies. This reflected negatively on the governorate and led to apparent neglect when it comes to the best projects

for Kirkuk as a governorate, such as Al-Turki Hospital, which has been on hold since 2009. Therefore, the 12 representatives of the governorate do not have a united voice to express their demands in the parliament. Rather, we notice that the parliamentary membership gets lost for the benefit of the political parties affiliated with the sect the deputy represents. The Kurdish deputies were the majority in the latest elections, and they became a part of the Kurdish Alliance that includes representatives from Kurdistan, which is considered the power that controls the Kurdish decisions. The same thing applies to the Arab component that, as soon as it reaches Baghdad, joins an Arab project bigger than Kirkuk. The same thing also applies to the Turkmens who form a nationalist alliance of their own in the parliament to care for the affairs of their component. This shows that the service performance is bound to a narrow and limited scale within the regions where their supporters live. This fact applies to all of Kirkuk's representatives.

What confirms this dispersion between Kirkuk's deputies is the fact that if you review the events that took place throughout most of the election cycles, you will not see Kirkuk's 12 deputies present together in a media department dedicated to the conferences of the members of parliament to discuss an issue related to the governorate. In addition, regarding the province's right to have a minister in the cabinet, Kirkuk has had no minister throughout the previous electoral cycles except for 2010, when MP Mohammed Tamim, Al-Iraqiya Alliance's candidate, was appointed as Education Minister. This reflects the lack of common will among Kirkuk's deputies regarding their representation in the cabinet, even though they are entitled to it. However, it was not their will as Kirkuk's deputies. It was rather the will of the Patriotic Union of Kurdistan to nominate a person from Kirkuk for the position of Justice Minister. On the other hand, we see the deputies of Basra working together as deputies and not as parties when it comes to demanding the positions their governorate is entitled to. In the latest cabinet, they stood united to demand that the position of Oil Minister be given to Basra Governorate. They even provided Prime Minister Mustafa Al-Kadhimi with a list of names for him to choose from. The position was clear: they put Basra first not their affiliations.

When it comes to services, Al-Turki Hospital, which was launched in 2009, was one of five hospitals in Iraq. Al-Turki Hospital was inaugurated in Babylon in 2016 as a result of the efforts exerted by the deputies of Nineveh Governorate, while the same project in Kirkuk consists of a run-down structure today, and none of Kirkuk's deputies tried to do something in this regard.

Policy alternatives

After presenting the problems of sectarian rhetoric, it was necessary to search for alternatives or solutions for the problems that were discussed. The most important of these alternatives are as follows:

1. Adding a legal text in the electoral law no. 9 for the year 2020 in force, criminalizing sectarian rhetoric in all its forms under the electoral crimes section, as this law does not have any text addressing this issue.
2. The importance of raising societal awareness and educating the public when it comes to participating in the elections and choosing the candidate they see as the best fit, regardless of nationality, religion, and sect. This relies on the spreading of the culture of citizenship, highlighting its importance and removing everything related to religion and nationality-based nationalism. Here lies the importance of the great role of civil society organizations and academics in holding awareness-raising workshops and forums regarding this issue.
3. It is important to turn Kirkuk into a single electoral district to avoid the people's reluctance to vote, which is happening in light of the multiple electoral districts, as it is one of the people's rights. The government must address all of the obstacles to motivate the citizens to vote, as the idea of electoral districts in Kirkuk does not work in some regions where there are homogeneous components. If there was a certain alley with three components, but one of them has the majority, the members of the remaining components will be reluctant when it comes to heading to the polls and voting because they will be convinced that the person they want to vote for will not win due to the lack of supporters.
4. In order to avoid fraud and ensure free and fair elections, we think it is necessary to give the United Nations and the civil society organization a role when it comes to monitoring the elections by enacting a law that protects the members of these institutions while following up on the electoral process instead of operating simply

A Regulatory Framework for Disputed Areas: Sinjar as a case study

Farhan Al Shankali

Introduction

Ever since the Baath regime fell to its demise in 2003, the disputed areas, particularly Sinjar, became a subject of dispute between the central government in Baghdad and the Kurdistan Regional Government, by virtue of Article 140 of the Iraqi Constitution. Sinjar's economic and social progress bore the brunt, despite the strategic significance and abundance of resources in the region. Sinjar is not only rich in natural resources, like oil or agricultural lands, but is also home to several tourist attractions. However, the security and administrative issues the region has witnessed have left a huge vacuum which was exploited by ISIS to take control over the region and commit genocide against the Yazidis.

As such, a new regulatory framework is needed to address these crises. Such a framework could perhaps entail making Sinjar a federal province, undertaking economic ventures, or promoting international efforts. However, internal, regional, and international clashes make this regulatory framework a far-fetched goal.

Sinjar is a city in Iraq, located in the northwestern part of the country along the borders with Syria. It stands at a distance of 124 km from Mosul city, the capital of Nineveh Province. The city counts 400 thousand residents. Yazidis represent the city's main ethnic group (85–86%), along with Arab Sunni, Kurdish, Shiite, and Christian minorities. The city is considered of strategic significance for Iraq as it links Iraq to the Levant on the one hand and the Arabian Gulf to northern Iraq and Turkey through the international silk line on the other hand.

Additionally, Sinjar is rich in natural resources including oil, which has not been excavated until this day. The city is home to many water streams and valleys which account for a significant share of the water feeding into Lake Tharthar. Sinjar is also renown for the cultivation of rye, barley, figs, tobacco, oak, tomato, cucumber,

eggplant, and onions, among others. It is located at a strategic altitude of 1465 meters above sea level and boasts a location overlooking the region.

The local, regional, and international conflicts have ultimately subjected the Yazidi population to a genocide that claimed more than 12000 casualties, including martyrs and kidnapped victims. They produced more than 86 mass graves; reduced the city to rubble; displaced more than 360000 people internally and over 120000 people to Europe, Canada, and Australia; and destroyed the city's infrastructure completely.

After six years of displacement, citizens are still clinging to the hope of returning to their neighborhoods and rebuilding their homes which were leveled after the terrorist movement ISIS took control of the area. They are eager to reorganize their life, despite many of them losing members of their families. Unfortunately, this dream faces several hurdles:

- The overall economic situation is in bad shape due to conflict. Residents can no longer rely on agriculture and pastoring as a source of income as they are unable to export their products outside the area.
- Society is vulnerable and the social fabric has deteriorated to a point where communities have lost their national and geographical sense of belonging. They are unable to protect their cultural identity and heritage, as descendants of Babylonians and Sumerians, having preserved several norms and traditions in what can only be described as a national treasure that must be protected.
- Conditions are not any better on the security level. Many refugees and displaced citizens are unable to return to their homes as several armed factions control these areas.
- On the administrative level, the problem still lies in the Arab – Kurdish conflict, creating a double administration system by establishing a local government that reports to the Federal Government and a second reporting to the Kurdistan Regional Government.
- Regional and international conflicts between different countries attempting to seize control of this strategic location, particularly Turkey, Iran, and Israel are ongoing. Each country is attempting to spread its hegemony in a way that best achieves its objectives of eradicating the PKK (Turkey), curb Iran's influence in Syria and Lebanon (Israel), and form a unified front against Israel (Iran).

Proposed Options for a Solution in Sinjar:

1- Transform Sinjar district into a federal province:

Sinjar district suffers from many protracted problems that none of the successive governments since the foundation of the modern Iraqi state managed to solve. Perhaps the most realistic legal solution to these problems is to turn Sinjar into a federal province. This will allow the region to manage its own political, economic, security, and social affairs. It will not only spare it the conflicts between Baghdad and Erbil, but also the monopoly of political decisions in the Nineveh province. Such a solution will have a tremendous impact on all levels including:

At the economic level: The region is granted a special financial budget by Baghdad without going through the Nineveh Province. This will allow officials in Sinjar to allocate the budget, without risking the monopoly of the political decisions and financial allocations by the Nineveh Province. As such, new administrative units shall be established, including districts, towns, and neighborhoods. This will contribute to better services and will facilitate the implementation of investment and business projects that provide job opportunities and maximize financial revenues.

At the social level: A sustainable economy contributes to national unity and social cohesion. The lack thereof could mean the collapse of societies. Therefore, unlocking economic development in Sinjar by making it a province will be a pivotal contributor to social stability. Likewise, administrative independence will strongly reinforce Sinjari citizens' sense of belonging towards their region and will bolster their relationship with other segments in the province, as they will all share the same future and fate in facing any challenges and risks that lie ahead.

On the political and security level: On the political level, Sinjar province will be a shield against the ambitions of political parties which have a history of manipulating the region's political fate by stealing votes, selecting candidates that serve their interests, and depriving Sinjar of representation in State institutions. This will increase Sinjar's seats in legislative bodies. Sinjar's citizens will be able to vote freely and stand as candidates to represent their Region, which will curb violations by external parties. From a security standpoint, Sinjar's security forces will be independent of the Army, Police, and Intelligence and will report to the Ministries of Interior and Defense. This will help put an end to the chaos of unregulated armed groups, restore Sinjari citizen's faith in their institutions, and encourage displaced and refugee families to return.

2- Trigger an economic development in Sinjar:

Sinjar's distinguished geographical location and resources represent levers for a comprehensive economic renaissance, provided the political will is secured. This can be achieved by establishing an official border crossing to facilitate international trade. The agricultural sector must also be utilized, as most lands in the region are arable. Equally important is the promotion of tourism by investing in cultural diversity, archeological sites, and scenic landscapes in Sinjar mountain, all while exploiting primary resources like oil.

3- Promote international efforts:

For the people of Sinjar to recover from genocide and cope with its psychological, social, and legal aftermath, and to prevent any future repetitions, international efforts must be concerted to advocate for establishing a security body from the residents and providing support, advice, and training thereto. It is preferable that this force report to the federal Ministries of Defense and Interior, and other security forces. It must be independent, disciplined, and committed to the Iraqi Constitution. It must be also trained on professionalism for it not to interfere in matters that do not fall within its competencies, as it is tasked with protecting Iraqi citizens and territories.

Mitigating Domestic Violence

Dr. Ashraf Kamil Azeez & Rana Munther Khudair

Introduction:

Domestic violence is a complex problem linked to many factors and variables, each of which has a clear role in the reason leading to the perpetration, such as economic and social factors. The danger of domestic violence crimes against women also lies in their indirect and more dangerous consequences on individuals and society, including unequal power relations within the family in society in general, and an imbalance in the value system due to the development of individual and negative values that tarnish family values and ruin family relations between husbands and wives and between parents and children. Families also lost their controlling and deterrent power on the behavior of the family members, which led to the emergence of many types of violent crimes against women within the family, such as murder, rape, theft, threats, etc.

Government statistics indicate that one in five Iraqi women is subjected to physical abuse (14% of which were pregnant at that time). The Iraqi Ministry of Planning conducted a survey on violence against women in the country, through which we can look at physical abuse, and its percentage in Iraqi society. According to the survey, 47.9% of men beat their wives if they go out of the house without their permission, while 44.3% beat their wives if they disobey their orders and 69.5% forbid their wives from visiting their relatives¹.

However, these official figures have not been updated since 2012. Today, in parallel with the pressure those Iraqi families are experiencing due to the quarantine measures imposed to limit the spread of Coronavirus, the indicators of domestic violence are increasing at a frightening rate. Women have been subjected to heinous crimes that have shocked Iraqi society. The rape of a woman with special needs, suicide due to domestic violence, murders, strangulation of wives by their husbands, harassments against minors, and other crimes have been recorded. This has caused the United Nations, the United Nations Population Fund, and the United Nations Children's Fund (UNICEF) to urge the Iraqi parliament to

1. The Iraqi Ministry of Planning, Central Statistical Organization, Annual Statistical Abstract (2018–2019), published on the official website of the Central Statistical Organization at <http://cosit.gov.iq/ar/>, visited on 07/12/2020.

expedite the promulgation of a law against domestic violence.²

This study attempted to showcase the effects of the overall economic and social factors that the Iraqis are facing at the moment and the connection to the prevalence of domestic violence against women. The study included several questions about the impact of domestic violence against women in Iraqi society and the factors that contribute to the spread of domestic violence crimes against women, whether they are family, social, or economic factors. The study also aimed to determine the relative weight of these factors and the extent of their prevalence... to identify the general features of domestic violence crimes against women, their repercussions, and their effects, in addition to their implications in the future.

The Concept of Domestic Violence:

Recently, domestic violence has become more known among the members of the Iraqi society after the increase in domestic violence incidents in its various forms and levels in many Iraqi families. Domestic violence is defined as any physical, sexual, psychological, intellectual, or economic abuse committed, or threatened to be committed, by any family member against the other³.

The Iraqi Civil Code No. 40 states that the family members consist of the father, mother, children, grandfather, and grandmother only. Thus, any form of abusive behavior (such as hitting, kicking, biting, slapping, throwing things, sexual assault, domination, tyranny, intimidation, harassment, and stalking, as well as negative and subtle abuse such as neglect, or economic deprivation) exhibited by one or both partners in the marital or family relationship is considered direct domestic violence⁴.

On the other hand, there is also indirect domestic violence, which many countries have criminalized in their laws. This includes subjecting children to indirect violence, such as when the father hits the mother in their presence. The crime, in this case, is twice as harmful to the children (even if they were not part

2. Zeynab Al-Mallah, Domestic Violence in Iraq; Causes of the Rampant Phenomenon and the Lifeline for Survival, an article published on Noon Post at <https://www.noonpost.com/content/36786>, visited on 07/12/2020.

3. Ejlal Ismail Helmy, Domestic Violence, Quba House for Printing, Publishing & Distribution, Cairo, First Edition, 1999, P.23

4. Iraqi Civil Code No. 40 of 1951, published in the Official Gazette of Iraq, Issue No. 3015 on 08/09/1951, P. 243.

of it). The United Nations issued a document in (1993) in which it emphasized that member states must consider domestic violence a crime and demanded that laws be enacted to criminalize it. The World Health Organization (WHO) defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life⁵”.

The danger of domestic violence lies in the resulting reactions that the victims may exhibit or in the resulting physical injuries, such as broken bones, head injuries, lacerations, and internal bleeding, which require medical and psychological care, as well as falling into poverty and homelessness among many other effects if the victim does not have any financial resources. Children who grow up in families where violence is prevalent may exhibit many behavioral and emotional disorders that may lead them to commit violence or become victims of violence themselves at a later stage in their lives⁶.

Causes of Domestic Violence in Iraq:

1. Social System and Societal Values: Bedouin values rooted in Iraqi society, with patriarchal concepts that prefer males over females. According to statistics, 50.7% of Iraqi girls receive unequal treatment in comparison with their male brothers, a third of girls aged 10–14 years are more physically abused compared to their brothers and 59% of Iraqi women justify physical violence). From the day of birth to giving opportunities and powers to males and not females, to notions of honor and shame, all these ideas prevailing in society turned marriage into an opportunity to preserve girls, and made marriage a priority, depriving girls of education and limiting their active role in society. One out of ten girls in Iraq believes that a girl must get married before the age of 18 (5% of the married women were married before the age of 15, while 22% were married before the age of 18)⁷.

5. United Nations General Assembly Resolution 48/104 issued on 20/01/1993, published on the United Nations Human Rights Website at

<https://www.ohchr.org/en/ProfessionalInterest/Pages/ViolenceAgainstWomen.aspx>, visited on 07/12/2020.

6. Abdulmohsen Bin Ammar AlMutairi, Domestic Violence, and Its Relation to Juvenile Delinquency among Residents of the Social Guidance House in Riyadh, Master's thesis (published), Naif Arab University for Security Sciences, 2006, P.61.

7. The Iraqi Ministry of Planning, Central Statistical Organization, Annual Statistical Abstract (2018–2019), ibid.

2. Education: The illiteracy rate among women is still very high in Iraq. The illiteracy rate among women in rural areas is 36.5%, compared to 15.9% in urban areas. This is partly due to denying women access to education, as statistics indicated that 69.4% of women in Iraq got married before reaching the level of education they aspired to reach⁸.

3. Poverty: Despite the enormous oil wealth in Iraq, one out of five persons still lives below the poverty line. Research indicates that poverty is the fuel that drives family violence, as much higher rates of violence against women and children were recorded in poorer families⁹.

4. Weak State Role and Lack of Deterrent Laws: The Iraqi Constitution states that “family is the foundation of society; the State shall preserve it and its religious, moral, and national values,” and “the State shall guarantee the protection of motherhood, childhood and elderly, shall care for children and youth, and shall provide them with the appropriate conditions to develop their talents and abilities.” However, the Penal Code states that some violent practices such as “the punishment of a wife by her husband, the disciplining by parents, teachers, and the like, of children within the limits prescribed by law or by custom” are a legal right. Despite the increase in women’s political representation, this representation has not been translated into legislations or transformed into an instrument of pressure against legislative institutions. The draft law on domestic violence that was put forward 8 years ago has been pending since 2015 and is yet to be approved by the Iraqi parliament. The draft law provides for the establishment of a “family protection directorate”, which looks into and investigates complaints of domestic violence. The draft law also provides for the establishment of a specialized family court that investigates cases of domestic violence and grants the competent judge the right to issue a decision to protect the victim and place them in safe shelters if he/she thinks that there is a threat to the victim’s life and safety. The draft law also states that the Ministry of Labour and Social Affairs must establish safe centers for victims of domestic violence in all governorates of Iraq and provide support and assistance to the victim through the provision of treatment and psychological

8 .The Iraqi Ministry of Planning, Central Statistical Organization, Annual Statistical Abstract (2018–2019), *ibid*.

9. Shilan Salam Mohammed, *Criminal Prosecution of Violence against Women within the Family (A Comparative Analysis)*, Arab Center Company for Printing, Publishing & Distribution, Cairo, First Edition, 2017, P.89.

rehabilitation. The Iraqi government tried to establish the Directorate for Family and Child Protection from Domestic Violence in 2009. However, its role on the ground is still very limited¹⁰.

5. Lack of Financial Independence: Early marriage in Iraqi society denies girls access to education opportunities, which makes financial independence for girls almost impossible. Thus, when a battered woman finds that she is unable to support herself and her children, she must endure her husband's abuse to ensure that she and her children have a roof over their heads¹¹.

6. Pressures due to the Iraqi reality: The last three decades, with all the wars and tragedies witnessed by the Iraqi individual and families, as well as the increase in the visual pollution phenomenon, where manifestations of violence, devastation, and environmental pollution are widespread in most regions of the country, and the increase in mental illnesses and behavioral disorders due to the wars in Iraq have led to an increase in social disintegration¹².

7. Other Causes: These include the lack of influential religious discourse, as some religious parties invoke jurisprudential views to block the promulgation of the Anti-Domestic Violence Law. Bullying, harassment, and electronic blackmail on social media platforms have also led to an increase in the phenomenon instead of being platforms for positive discussions and for raising awareness. In addition, feminism movements in Iraq, whose role is supposed to be essential in dismantling this tragedy, are poor.¹³

Findings:

The researcher conducted a survey on domestic violence in Iraq, as he posted an online questionnaire on the social media platform (Facebook) for a period of 72 hours. 506 people participated in the questionnaire, 50.6% of which were males and 49.4% were females, as shown in chart (1).

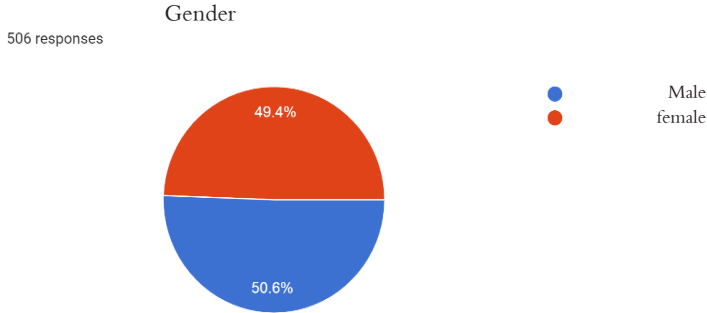
10 .Shilan Salam Mohammed, *ibid*, P.93.

11.Ahmed Mustafâ Ali, Yasser Mohammed Abdullah, Domestic Violence Crimes, and Ways to Combat them in Iraqi Legislation (A Comparative Study), *Alrafidain of Law Journal*, Vol. (15), No. 55, 2012, P. 359.

12. Shilan Salam Mohammed, *ibid*, P.93.

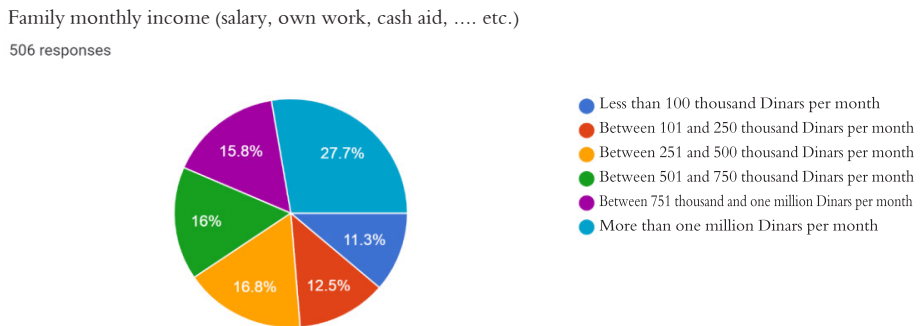
13.Zeynab Al-Mallah, *ibid*.

Chart (1): Distribution of the Sample According to Gender



The respondents revealed that their incomes are low, as more than 39% earn less than 500 thousand Dinars per month, and only 27.7% have a monthly income that is higher than one million Dinars, as shown in chart (2).

Chart (2): Distribution of the Sample According to Monthly Income



The majority of the respondents (57.5%) believed that the level of household income plays a role in domestic violence, as shown in chart (3). The importance of the economic factor was also emphasized, as 75% believed that the economic factor plays a role in the increase of domestic violence, as shown in chart (4).

Chart (3): Respondents' Opinions on the Role of Income Level in Domestic Violence

Do you think that the level of family income has a role in domestic violence?

506 responses

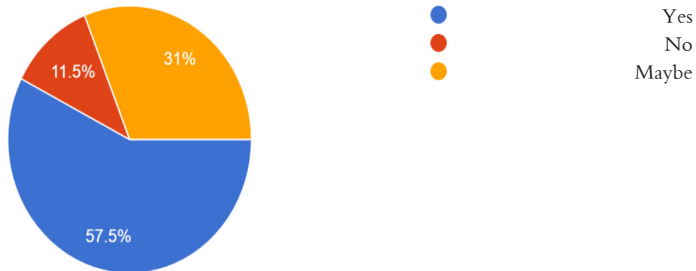
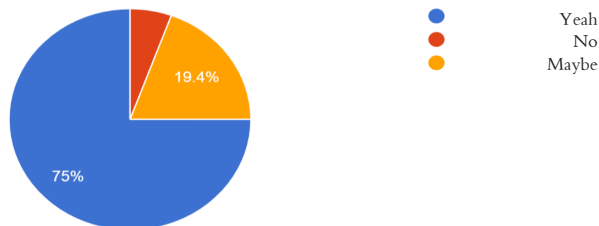


Chart (4): Respondents' Opinions on the Role of the Economic Factor in Domestic Violence

Do you think that the economic situation of society in general has a role in the growing cases of domestic violence?

504 responses



The majority of the respondents (74.5%) also emphasized the role of family interventions in the increase in domestic violence, as shown in chart (5)

Chart (5): Respondents’ Opinions on the Role of Family Interventions (Parents and Relatives) in the Growing Cases of Domestic Violence

Is there an impact of the interference of parents and relatives in the growing cases of domestic violence?

505 responses

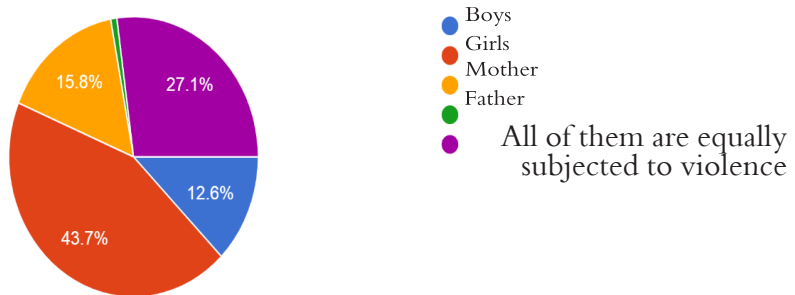


Most of the respondents also believed that women are the most likely to be subjected to domestic violence, with 43.7% of them responding girls and 15.8% responding mothers, compared to only 12.6% who believed that children are the most likely to be subjected to domestic violence, as shown in Chart (6).

Figure (6): Respondents’ Opinions on the Groups that are Most Likely to Be Subjected to Domestic Violence

In your opinion, what is the most group in the family exposed to violence?

501 responses

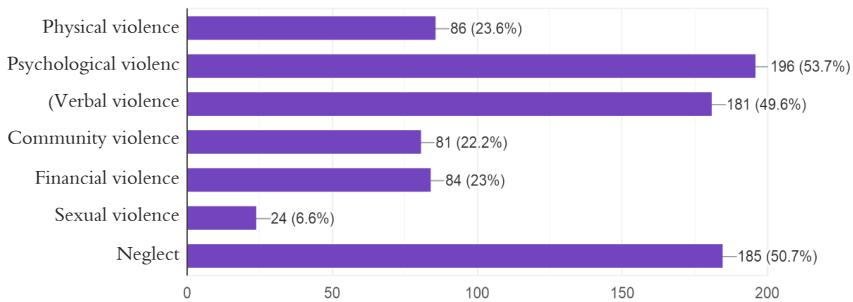


The respondents’ answers indicated that domestic violence is widely prevalent in Iraq, as 23.6% were subjected to physical violence, 53.7% to psychological violence, 49.6% to verbal violence, 22.2% to community violence, 6.6% to sexual violence, and 50.7% to neglect, as shown in Chart 7.

Chart (7): Domestic Violence Forms that Respondents Were Subjected to

If you have been, or have been, or have been subjected to, domestic violence, please choose one or more of the following types of violence: (You can choose more than one type of violence).

365 responses

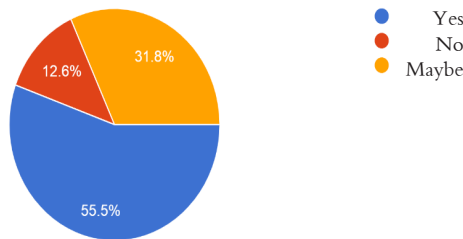


The majority of respondents (55.5%) believe that the enactment of the so-called Domestic Violence Law would contribute to curbing violent practices, as shown in Chart 8.

Chart (8): Respondents’ Opinions on the Effectiveness of Domestic Violence Law Enactment

Do you think that enacting a domestic violence law will contribute to reducing the level of domestic violence crimes?

506 responses



The respondents provided several proposals to reduce cases of domestic violence, such as promulgating and enforcing the law to combat domestic violence, preparing awareness and educational programs and workshops, providing equal work opportunities and increasing family income, as well as prohibiting the marriage of

minors and activating the role of human rights organizations to reduce violations within families, in addition to encouraging the media to spread familiarity and love within the family and suppressing channels and platforms that spread violence within society. In addition, some of the respondents suggested that victims of domestic violence need treatment through rehabilitation in special centers and reintegration into society.

Proposed solutions to address domestic violence:

1. Approving the Domestic Violence Law and the associated punishments in accordance with the law and issuing binding directives to be followed by the relevant authorities.
2. Enforcing the laws related to the protection of women and children.
3. Preventing marriages of minors.
4. Establishing a safe house in every governorate for battered women.
5. Suspending work according to article 41/1 of the Iraqi Penal Code No. 111 of 1969.
6. Providing a psychological counselor in all government departments.
7. Raising awareness among Iraqi families about the proper upbringing of children without subjecting them to violence.
8. Focusing on making education compulsory to eliminate illiteracy and holding parents accountable if they fail to enroll their children in school.

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2. Ahmed Mustafá Ali, Yasser Mohammed Abdullah, *Domestic Violence Crimes, and Ways to Combat them in Iraqi Legislation (A Comparative Study)*, *Alrafidain of Law Journal*, Vol. (15), No. 55, 2012.
3. Haider Al-Takarli, *In the Coming Days*, an article published in *Al-Muthaqaf Newspaper*, Issue No. 5207, on 07/12/2020.
4. Zuhair Al-Maliki, *An Analytical View of the Draft Law on Combating Domestic Violence*, published article, *Kitabat Website* at <https://kitabab.com/>, visited on 07/12/2020.
5. Zeynab Al-Mallah, *Domestic Violence in Iraq; Causes of the Rampant Phenomenon and the Lifeline for Survival*, an article published on *Noon Post* at <https://www.noonpost.com/content/36786>, visited on 07/12/2020.
6. Saad Eddin Bou Tabbal, Abdel Hafiz Maousha, *Domestic Violence Against Children*, published paper, the second national forum on *Communication and Quality of Life in the Family*, 9-10 April 2013, Qasadi Mirbah University, College of Humanities and Social Sciences, Ouargla, Algeria.
7. Shilan Salam Mohammed, *Criminal Prosecution of Violence against Women within the Family (A Comparative Analysis)*, Arab Center Company for Printing, Publishing & Distribution, Cairo, First Edition, 2017.
8. Abdulmohsen Bin Ammar AlMutairi, *Domestic Violence and Its Relation to Juvenile Delinquency among Residents of the Social Guidance House in Riyadh*, Master's thesis (published), Naif Arab University for Security Sciences, 2006.
9. Iraqi Penal Code No. 111 of 1969, Article (41/1), published in the *Official Gazette of Iraq*, Issue No. 1778, on 15/09/1969.
10. Iraqi Civil Code No. 40 of 1951, published in the *Official Gazette of Iraq*, Issue No. 3015 on 08/09/1951.

11. United Nations General Assembly Resolution 48/104 issued on 20/01/1993, published on the United Nations Human Rights Website at <https://www.ohchr.org/en/ProfessionalInterest/Pages/ViolenceAgainstWomen.aspx>, visited on 07/12/2020.
12. The Iraqi Ministry of Planning, Central Statistical Organization, Annual Statistical Abstract (2018–2019), published on the official website of the Central Statistical Organization at <http://cosit.gov.iq/ar/>, visited on 07/12/2020.

Addressing Literacy in Iraq

Zeidon Alkinani

Iraq's economy, public sector and political stability faces various challenges such as corruption, rentier economy, unemployment, and political violence. Education in general, or illiteracy in particular, is a result of all these factors. Adult literacy in Iraq is believed to be around 50% since 2018, according to various sources.¹ A literate is defined as a person with basic reading, writing, and numerical skills. In Iraq, any person that is 15 years and above and lacks such skills is denoted as illiterate. The effects on Iraq's education, science, and research fields from the former authoritarian regime, Iran-Iraq War, 1990s sanctions, the United States-led invasion and occupation of Iraq, and the resulting rampant corruption is significantly evident.

Iraq has a long history of dealing with illiteracy; however, different political circumstances have escalated the issue throughout time. Illiteracy was an indicator to the lack of skilled and trained workforce in Iraq, and that has had major implications on the country's economy, as it was the only oil-rich Arab state that did not depend on foreign labor. The literacy campaign served the Ba'athist authoritarian regime in promoting its political ideologies.

In 1971, Iraq passed a law to combat illiteracy, and it reduced it to 20% by 1987 according to UNESCO. There were an estimated 2.2 million illiterate people between the ages of 15 and 44 in the country in 1974. The Baghdad Conference for Compulsory Literacy in May 1976 presented a plan for a national campaign to combat illiteracy. Public Law 118 was implemented in 1978 to provide free compulsory education for all: 6-15-year-olds extending up through a 6-year primary school and a 3-year secondary intermediate level. Further details into the logistics of the mass campaign are available in the appendix.

1. "Iraq - Literacy Rate, Adult Total (% Of People Ages 15 And Above) - 2000-2018 Data | 2020 Forecast." n.d. Tradingeconomics.com. <https://tradingeconomics.com/iraq/literacy-rate-adult-total-percent-of-people-ages-15-and-above-wb-data.html>.

Saadoun, Mustafa. 2018. "Why Has Illiteracy Rate Gone up in Iraq?" Al-Monitor. December 10, 2018.

<https://www.al-monitor.com/pulse/originals/2018/12/iraq-illiteracy-education-culture.html>.

High illiteracy rates translate into a major obstacle towards a nation's economic, social, and political progress. Illiterate groups get limited access to a number of opportunities such as education, development of life skills, the use of techniques and technologies that could improve their quality of life in order to adjust to growing socio-economic and cultural development². Statistically, households with illiterate parents are more likely to be deprived of insufficient water, sanitation, food, assets and electricity, and higher chances of illness. Illiteracy has a direct impact on social participation and civic outlooks, as it deprives Iraqi youth from having a voice in social and political institutions³.

This policy paper aims to present a sustainable approach to tackling illiteracy and deal with it as an urgent matter. The paper not only aims to enhance the post-2003 Iraq education sector, but also advances social, institutional, and environmental elaborations to this issue.

Why is this policy issue important?

- It will develop an educated and innovative society
- Decrease radicalization and recruitment to extremist groups
- It will increase gender equality in rural and poor areas
- A literacy campaign will require active civil society participation, which will strengthen civic institutions and non-governmental organizations
- Literacy efforts will improve the work of institutions in the long-term
- Literacy initiatives will develop citizens' linguistic, legal and cultural knowledge
- Non-formal education and literacy programs will help illiterate people develop more informed cultural, social and economic attitudes
- Literacy will encourage and guide citizens to practice their rights and responsibilities towards an active citizenship

2. "National Strategic Framework for Literacy in Iraq." 2011. <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/Iraq.pdf>.

3. "Facts and Figures Literacy: A Key Component in Meeting the Millennium Development Goals (MDGs)." 2010. https://reliefweb.int/sites/reliefweb.int/files/resources/F654A7976C363DE28525779F0074DDA0-Full_Report.pdf.

Indicators of illiteracy

Illiteracy in Iraq is a result of various political, economic, and social reasons. Illiteracy derives from school dropouts, and to understand it, we must investigate the reasons for not attending schools:

- The early stages of the invasion presented a rushed and disorganized transition of the education curriculum as it was filled with Ba'athist political propaganda
- The waves of displacement since the start of the sectarian strife in the country in 2006 had a grievous impact
- Some parents prevent their kids from attending school either for cultural, security, or financial reasons. This is most evident among female students.
- Finance and work: some families financially rely on the salaries of their children and therefore many students drop out of school in order to work
- School is far: many rural and poor areas still struggle with the physical distance of schools

Post-ISIS war indicators

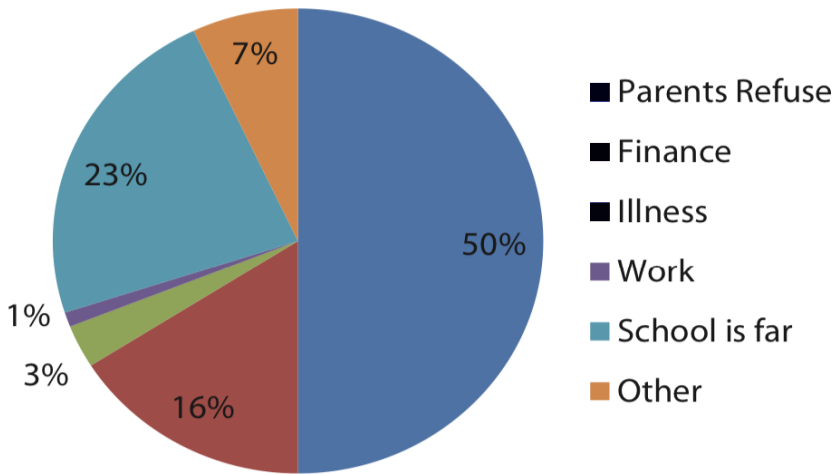
Displacement from the war with ISIS and the destruction of schools back in their provinces are two additional indicators:

- The waves of displacement from the ISIS war (2014–2017) played a vital role in the increase in illiteracy rates.
- More than 3.5 million people lived in camps with limited access to education. Upon their return to their areas in Ninewah, Anbar, and Salahuddin, limited access to education continued due to schools being destroyed by ISIS.
- Schools in liberated areas lack funding and stationery, and classes are overcrowded
- 89 schools were destroyed in Mosul following the war in 2017
- Schools and cultural centers of minorities are also in need for reconstruction

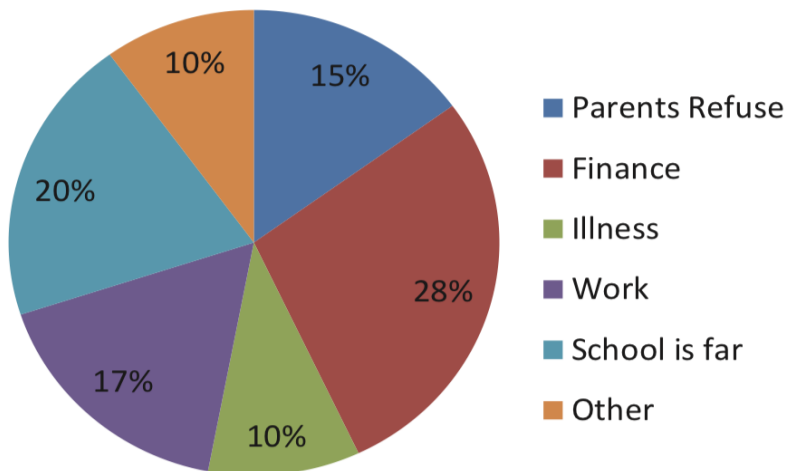
Reasons for Not Attending School

Source: Government of Iraq, Iraq National Youth & Adolescents Survey (Gol NYS) 2009

Young Illiterate Women



Young Illiterate Men



1. Policy options

3.a) Policy recommendations:

I. Create a nationwide strategic plan that aims to tackle illiteracy on various levels (national, regional, provincial) to ensure a mechanism with common goals

- The implementation of the literacy plan requires support on the ground across all levels – each governorate, district, and sub-district must have strategies that fit their needs and realities

- This will allow the Higher Committee for Literacy to understand the limited access to education in various areas and thereupon, will re-build permanent schools and literacy centers in rural and poor areas

II. Recruit unemployed graduates to participate in the campaign as teachers or administrators

- This will allow the campaign to also tackle unemployment and provide working experience for many non-experienced graduates

- Establish special training to literacy teachers as they are the bridge between the literacy students and the world of knowledge, values, and curricula

III. To incorporate the Higher Committee for Literacy into the Council of Ministers

- Provide full transparency for the whole cabinet and allow the Prime Minister to oversee the program regularly

- This will ensure that the campaign receives the funding it requires

3.b) Roadmap:

The success of a mass literacy campaign in today's Iraq requires effective planning to ensure it meets every single element: from considering each autonomous area and to vary in teaching methods with adults and teenagers.

1) Data: Develop an advanced database that will be responsible for data collection, planning, dissemination, and most importantly, to monitor and evaluate progress and outcomes

- 2) Calculate/measurement: To calculate accurate literacy rates and disseminate them based on indicators and ages
- 3) Partnerships & Funding: Reach out to potential local, regional, and international stakeholders for potential organizational and financial support. (Examples: UN, UNESCO, UNICEF, EU, GCC, USAID, Canada, Qatar Foundation, Education Above All)
- 4) Literacy Curriculum: Establish various literacy programmes to meet the needs of various ages, professions, and literacy levels
- 5) Recruitment: Recruit unemployed graduates to become teachers or administrators of the literacy campaign
- 6) Literacy Teacher Training: Establish teaching methods and materials, and conduct a mini campaign of training and workshops for the selected literacy teachers to prepare themselves in order to ensure an aligned approach and method of teaching
- 7) Long-term employment: Reach out to all potential local stakeholders to present a list of jobs that require basic literacy skills, in order to present a long-term value to many of unemployed illiterate people and enhance job opportunities.
- 8) Lack of schools in rural areas: Ensure the building of permanent and sustainable school buildings in rural areas where lack of schools is a big factor in school dropout rates.
- 9) Existing workforce and venues: Already existing school buildings will also be open for evening literacy classes and teachers are also welcome to participate.
- 10) Government enforcement: Amend the already existing law in a way that presents some type of enforcement for participation.
- 11) Salaries: Allocate salaries for participants (teachers, administrators, and students).

3.c) Existing policy options:

Iraq's Mass Literacy Campaign (1970s):

We can learn different lessons from the various approaches towards illiteracy in Iraq, with the consideration of the current circumstances and dynamics. From the 1970s literacy campaign, we notice that it is a mass movement that requires a national effort through collaboration between state (as the sponsor and organizer) and society (as grassroot volunteers). It is also crucial to notice that the 1970s mass campaign paid attention to the importance of sustaining the literacy campaign to the narrowest levels of local autonomy (see Appendix B)

National Framework for the Literacy Strategy in Iraq (2011–2015):

The most fundamental policy and academic approach towards illiteracy in Iraq took place during the “National Framework for Literacy Strategy in Iraq”. The Literacy Strategy is a framework that was established between the Ministry of Education and UNESCO – Iraq Office. The framework aims to achieve a strategic plan that would reduce illiteracy among males and females in Iraq by 50% by the end of 2015. It comes as a result of many cooperative workshops, meetings, and seminars. The strategy requires seven methods of intervention:

- a) governance;
- b) capacity building;
- c) partnership and community participation;
- d) awareness-raising and community mobilization;
- e) monitoring and evaluation;
- f) equivalency educational programs;
- g) classroom environment. Each of these areas of intervention constitutes a challenge in itself.

Stakeholders/ necessary entities to be involved:

- The Ministry of Education

- The Literacy Department
- Civil Society Organizations
- Provincial Councils
- Literacy Centers

Iraq Parliamentary Literacy Law (2011):

The Iraqi Council of Representatives passed a literacy law on September 8, 2011 during its 27th legislative session.

According to the law, an illiterate person is defined as “any citizen who has completed 15 years of age, does not know how to read and write and did not attain the level of required education.” The law also defines the level of civilization as “the individual’s possession of reading, writing and numeracy skills, as means to develop his career and raise his cultural and socio-economic living standards, thus enabling him to exercise his citizenship rights and participate in the decision-making process and performance of public duties.”

The Iraq 2011 parliamentary law also aims to conduct the literacy campaign through a three-level structure: governorate, district, and sub-district. The law considers the importance of autonomous decision-making and organization within each administration. The law established the Higher Committee for Literacy, the Executive Body for Literacy, and Councils for Literacy in each of the administrations mentioned above.

3.d) Selection criteria:

In this section, we will evaluate and measure the success of these policy recommendations through the following elements: effectiveness, competency, justice, efficiency, and scalability for improvement.

a) Policy effectiveness:

The overall effectiveness of policy implementation is defined by understanding the core commitment to how the policy implementation is conducted. Successful practices derive out of effective planning, and their implementation delivers better performance when feedback is given to policy and decision makers. The choice of

accurate incentives with a consideration of local biophysical and social conditions determines the success of policy implementation.

This policy recommendation will activate the financial requirements and prepare the educational and organizational material and tools to the literacy necessities in Iraq. It will even raise literacy projects from ministerial to presidential platforms.

b) Policy competence:

Policy competence is a set of skills and knowledge about the policymaking process than enable a person to effectively act in a policymaking situation. Educators and literacy administrators with policy competence can improve literacy in particular and education in general by exerting some influence that shapes public policy in a way that improves access and quality of education and literacy programs.

c) Justice:

The justice of this policy will be evident on the social and economic empowerment it will provide both the illiterate youth and adults. Each illiterate person receives the care and attention they deserve until they have completed the literacy program. This policy aims to fill the inequality gap between illiterates and literates in society, in order to provide them equal economic, social, and political opportunities in life. There will be challenges in the mitigation of literacy programs between young people and adults, and that is why different curriculums will be set up accordingly.

d) Efficiency:

The efficiency of this policy is assessed through already existing policy, administrative, and legal frameworks. Entities such as the Higher Committee for Literacy and the provincial committees on literacy are useful institutions to run this campaign. Iraq as a country has enough resources and experience on literacy campaigning on the national and provincial levels. The 2011 Parliamentary Law in itself is a constitutional support to the legitimacy and success of this policy, considering the country's parliamentary democracy system.

e) Scalability for improvement:

The monitoring and evaluation aspect of this policy will provide us suggestions

to improve it in the longterm. Literacy programs are for 7-months and it could take us years to tackle illiteracy.

The Literacy Law provides a precise outline how each administrative unit must arrange the literacy approach. It provides limited information on funding opportunities from the yearly budget, the provision of teaching and studying material, and the training of teachers and administrators.

How can we enhance this already existing law?

The Higher Committee for Literacy must be supervised by the Prime Minister himself, and it should become a part of the Council of Ministers. The diversity of the consultants from the various ministries and departments already reflects the necessity of rapprochement between the committee and the council of ministers. The high rates of illiteracy in Iraq and its implications on its society and economy is enough to turn this into an urgent national matter.⁴

The literacy law needs to be treated as a call to begin a mass campaign. Pushing it to become another project with its own committees and setting expectations of it needing years to achieve its goals, may slow the process. A nationwide strategic plan needs to be a mandatory implementation of the literacy campaign that should be directly monitored and supervised by the Council of Ministers through the advisory of its newly joined Higher Committee.

The law must consider an increase in its funding as training unemployed graduates to become literacy teachers and administrators, and providing them with teaching material and equipment is a crucial factor of success to this project – and the evident lack of funding during the literacy campaign across the country’s literacy centers or the ones that were not built yet despite receiving funding reflects the mismanagement of the funding and/or lack of funding.

4. Afaq satellite channel. 2019. “Watch .. What are the solutions to the success of the Higher Commission for Literacy in Iraq and to make it like the neighboring countries.” <https://www.youtube.com/watch?v=1T8ON9GEYIg>.

Conclusion

The illiteracy crisis has faced policy and administrative shortcomings due to rampant corruption, insufficient government attention, and economic crises that have also affected unemployment, electricity, infrastructure, water scarcity, insecurity, and many other problems. The enhancement of literacy in a country is crucial to the development of an individual, and the empowerment of individuals establishes a qualified society that plays a role in its socio-economic and political development.

This policy paper aims to tackle the illiteracy problem in Iraq through various elements. It begins with planning the literacy campaign and ascertaining the number of illiterate people and their required teaching material. The plan should include the permanent requirements to literacy and education in the longterm, such as building new schools in rural areas. This policy paper also focuses on the empowerment of unemployed graduates as teachers and public administrators as part of a nation-wide campaign, as it will enable them to build experience and integrate them into the education sector and other fields aligned with the literacy campaign. It will potentially be funded through the allocation of a government budget and fundraise from external educational stakeholders, in addition to the support of interested industries in need of literate workers (which will also increase employability). Finally, the incorporation of the Higher Committee for Literacy into the Council of Ministers will emphasize and enrich the education sector as a pillar in the development of post-2003 Iraq over the long-term.

Can Iraq Help Prevent the Risk of Future Genocides?

Hajar M. Baker

Introduction

Da'esh's takeover of large swathes of northern Iraq in 2014 was accompanied by unimaginable atrocities perpetrated by its affiliates and against the Ezidis, an ethnoreligious indigenous component inhabiting Iraq for centuries.¹ The massacre of Mount Sinjar on the 3rd of August of 2014 and crimes perpetrated against the group included the killing of the groups' men and boys, subjecting their women and girls to sexual slavery and forced pregnancy², human trafficking, child enlistment, and forced conversions.³ Atrocities against Ezidis encompassed the destruction of their cultural and religious sites, and the destruction of the soul of the Ezidi people.⁴ To this date, nearly 3000 women and girls remain missing, mass grave are still unexhumed,⁵ and perpetrators are not prosecuted for the crime of genocide due to lack of the appropriate legal framework for prosecution.⁶

1. 'Report: Destroying the Soul of the Yazidis' (RASHID International) at p. 29. <<https://rashid-international.org/publications/report-destroying-the-soul-of-the-yazidis/>> accessed 13 January 2021.29

2. Dave van Zoonen and Khogir Wirya, 'Yazidism and Its Community in Iraq' (Middle East Research Institute 2017) <<https://www.jstor.org/stable/resrep13635.5>> accessed 13 November 2020.

Nadia Al-Dayel, Andrew Mumford and Kevin Bales, 'Not Yet Dead: The Establishment and Regulation of Slavery by the Islamic State' [2020] *Studies in Conflict & Terrorism* 1 <<https://www.tandfonline.com/doi/full/10.1080/1057610X.2020.1711590>> accessed 24 November 2020.

3. Valeria Cetorelli and Sareta Ashraph, 'A Demographic Documentation of ISIS's Attack on the Yazidi Village of Kocho' 25.

4. 'Report: Destroying the Soul of the Yazidis' (n 1).

5. 'Six Years after Genocide, International Community Must Prioritize Justice for Yazidi Community | | UN News' <<https://news.un.org/en/story/2020/08/1069432>> accessed 13 January 2021.<<https://news.un.org/en/story/2020/08/1069432>

6. Hajar Baker, 'Name It While You Shame It: An Assessment of Iraq's Legal Response to Da'esh Crimes' (Social Science Research Network 2019) SSRN Scholarly Paper ID 3509679 <<https://papers.ssrn.com/abstract=3509679>> accessed 13 January 2021."plainCitation": "Hajar Baker, 'Name It While You Shame It: An Assessment of Iraq's Legal Response to Da'esh Crimes' (Social Science Research Network 2019

Taking into consideration the definition of genocide as a legal concept,⁷ as well as the emerging literature and documents establishing that Ezidis have been subjected to genocide pursuant to its legal definition,⁸ genocide can also be understood as a phenomenon of group destruction.⁹ The term genocide has been widely used when referring to atrocities perpetrated by Da'esh but is equally used by Ezidis themselves to refer to decades old incidents of persecution they have been subjected to.¹⁰

The international community recognized that crimes perpetrated by ISIS against the Ezidi community in Iraq constituted crimes of genocide.¹¹ Iraq's Council of Ministers equally issued an executive decree considering the crime of genocide against the Ezidis, as well as other crimes perpetrated by Da'esh, a crime of genocide.¹² Despite the defeat of Da'esh, the risk of atrocities and genocide against Ezidis and other at-risk populations in Iraq is ongoing.¹³

Professor Gregory Stanton, the founding president of Genocide Watch, suggests that genocides occur throughout a 10 stages process.¹⁴ The stages of genocide preparation and extermination occurs only towards to the end of the genocidal process. Ahead of those stages is the classification of the target group to 'them' as opposed to 'us', their dehumanization, and persecution.¹⁵ Genocidal processes

7. Emmanuel Guematcha, 'Genocide Against Indigenous Peoples: The Experiences of the Truth Commissions of Canada and Guatemala' (2019) 10 International Indigenous Policy Journal.

8. 'Iraq-Bearing-Witness-Report-111215.Pdf' <<https://www.ushmm.org/m/pdfs/Iraq-Bearing-Witness-Report-111215.pdf>> accessed 9 January 2021.18-21.

9. David Moshman, 'Us and Them: Identity and Genocide' 22.

10. Yazidis often claim that they have been subjected to 74 genocides throughout history. See Güneş Murat Tezcür, Zeynep Kaya and Bayar Mustafa Sevdeen, 'Survival, Coexistence, and Autonomy': 24.

11. 'Yazda | Genocide Recognition' (Yazda) <<https://www.yazda.org/genocide-recognition>> accessed 25 November 2020.

12. Council of Minister's decisions -12th regular session of 2015, (Iraq's Prime Minister Office, 24 March 2015). Available at

<http://www.pmo.iq/press2015/24-3-20151.htm> [Accessed January 2019].

13. 'Our Generation is gone, the Islamic State's targeting of Iraqi minorities in Ninewa' 'Iraq-Bearing-Witness-Report-111215.Pdf' (n 9).

14. Gregory H. Stanton, '10 Stages of Genocide' <<http://genocidewatch.net/genocide-2/8-stages-of-genocide/>> accessed 13 January 2021.<http://genocidewatch.net/genocide-2/8-stages-of-genocide/>

15. 'The Ten Stages of a Genocide' (Montreal Holocaust Museum) <<https://museeholocauste.ca/en/resources-training/ten-stages-genocide/>> accessed 9 January 2021. See also United Nations High Commissioner for Refugees, 'Refworld | "They Came to Destroy": ISIS Crimes Against the Yazidis' (Refworld) <<https://www.refworld.org/docid/57679c324.html>> accessed 13 November 2020. Para 19.

throughout history shows that they are typically preceded by less widespread or systematic human rights violations, which are linked to patterns of discrimination or exclusion based on ethnicity, race, nationality or religious background.¹⁶

Comparative studies of genocides shows that they do not happen overnight. The Srebrenica genocide was preceded by years of campaigns of misinformation and propaganda.¹⁷ The Rwandan genocide is rooted in the favoring of the minority Tutsis against the Hutus during Rwanda's colonial period ruled by the Belgians.¹⁸ Tutsi were also portrayed by Hutus as 'cockroaches' before the genocide.¹⁹ In this regard, David Moshman rightly notes that "at the heart of any genocide is identity", and that "genocide is an extreme result of normal identity processes."²⁰

While genocides which have occurred across the history are unique, patterns of their occurrence offer lessons to help understand where genocide and its irreparable grievances could have been prevented both in their communities and in other instances.

Drawing from the Ezidi genocide and other comparative examples, this paper proposes policy recommendations to prevent the occurrence of future genocide in Iraq. It first provides an overview of political, social and historical factors which may have formed the basis of the earlier stages of genocide against Ezidis in Iraq. Pursuantly, it proposes two policy recommendations for the GOI which could help prevent the future risks of genocide against at-risk components. These are (a) initiating a Truth Commission and (b) Educational reform. Thus, this policy paper perceives the 2014 genocide as a result of a myriad of factors which have inter alia, caused it. Without addressing the root causes of the genocide and the continuation

16. 'Report on the Prevention of Genocide - Report of the Secretary-General (A/HRC/41/24) (Advance Unedited Version) - World' (ReliefWeb) <<https://reliefweb.int/report/world/report-prevention-genocide-report-secretary-general-ahrc4124-advance-unedited-version>> accessed 13 January 2021. Para 11

17. 'Bosnia and Herzegovina: 25th Anniversary of Srebrenica Massacre Is a Sombre Warning from History' <<https://www.amnesty.org/en/latest/news/2020/07/bosnia-and-herzegovina-25th-anniversary-of-srebrenica-massacre-is-a-sombre-warning-from-history/>> accessed 2 December 2020.

18. Tor Sellstrom and Lennart Wohlgemuth, 'Historical Perspective: Some Explanatory Factors' 88. <https://www.oecd.org/derec/unitedstates/50189653.pdf>, see also Moshman (n 10). <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1086&context=edpsychpapers> p 119.

19. Moshman (n 10). <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1086&context=edpsychpapers> p 21.

20. *ibid.*

of it, the threat of the recurrence of genocide in the future is ongoing.

Background on Ezidi persecution

Ezidi identity have been subject to and affected by different political interests throughout their history. Persecution of the Ezidis is considered to date back to the rule of the Ottoman empire, where they were subjected to forced conversion to Islam.²¹ During the Ba'athist regime, Ezidis were subjected to systematic Arabization policy where they would be identified as Arabs.²² To this end, the Ba'athist regime had also falsely claimed that the Ezidis were descendants of Yazid Bin Muawiya, attempting to alienating them both from the Kurds by claiming they are of Arabic origin, as well as from the Shia's.²³ While Policies of the Baathist regime²⁴ coupled with the post-2003 waves of extremism and governance failures had affected nearly all Iraqi components at different times, the impact of such failures and persecution is greater on certain at-risk groups, including the Ezidis.²⁵ The feeling of isolation amongst Ezidis is not unpopular and is often centred around the feeling of being abandoned and ignored by the government.²⁶

Misunderstanding surrounding the Ezidi theology is considered as the 'root cause' of Ezidi persecution.²⁷ Stereotypes against the Ezidis, such as being often referred to as 'devil worshippers' are often disseminated as facts. The ramifications of such statements are even more alarming, including not accepting their food, and avoiding any physical contact. While Da'esh banked on various factors to recruit

21. Tezcür, Kaya and Sevdeen (n 11).available at <https://www.mei.edu/publications/social-change-amidst-terror-and-discrimination-yezidis-new-iraq>

22. 'Social Change Amidst Terror and Discrimination: Yezidis in the New Iraq' (Middle East Institute) <<https://www.mei.edu/publications/social-change-amidst-terror-and-discrimination-yezidis-new-iraq>> accessed 13 January 2021.<https://www.mei.edu/publications/social-change-amidst-terror-and-discrimination-yezidis-new-iraq>

23. Zack Beauchamp, 'Iraq's Yazidis: What You Need to Know' (Vox, 8 August 2014) <<https://www.vox.com/2014/8/8/5982421/yazidis-yezidis-iraq-crisis-bombing>> accessed 25 November 2020.

'Minorities-in-Iraq.Pdf' <<http://masaratiraq.org/wp-content/uploads/2013/04/Minorities-in-Iraq.pdf>> accessed 24 November 2020.

24. 'Social Change Amidst Terror and Discrimination: Yezidis in the New Iraq' (n 23).

25. While this policy paper focuses on Yazidis as a case due to their actual subjection of genocide, there are other viable examples that should not be neglected. The Bahai's for example are to date not allowed to be identified as a religion in Iraq.

26. van Zoonen and Wirya (n 2).

27. Beauchamp (n 24).

local residents, it is undeniable that perceptions of Ezidis as ‘devil-worshippers’ already prevalent was one factor ISIS had invested in, in order to disseminate its ideology and justify its genocidal acts. In the case of the Rwandan genocide, Professor Alex Hinton rightly notes that ‘the genocide against the Tutsi is revealing about how socially constructed and historically formed identities can be politically mobilized to catastrophic ends.’²⁸

The rise of extremism in post-2003 witnessed hate speech against Ezidis, as was the case against other components. Ezidis were identified as infidels and outlaws,²⁹ calling for their execution if refusing to convert.³⁰ When Da’esh took over, the level of persecution against Ezidis had obviously evolved, justifying their slavery in an extremist religious ideology, in addition to their extermination, and further justifying their atrocities against the group.³¹

While genocidal acts were directly perpetrated by Da’esh affiliates and pursuant to Da’esh ideology, these historical, political and social factors have provided at least a breeding ground for Da’esh’s perpetration of its genocidal campaign against Ezidis. Data shows that the perpetration of those crimes was not entirely extraneous. ISIS crimes against the Ezidis were perpetrated by foreign fighters, but also of local residents, including neighbours and colleagues of the areas they have controlled.³²

Indicators of specific risk factors for genocide as set out by the UN’s framework of analysis for atrocity crimes are informing in the case of the Ezidi genocide. Amongst others, indicators of genocide involve intergroups tensions, as well as patterns of discrimination against the protected groups.³³ Furthermore, past or

28. <https://en.unesco.org/news/critical-thinking-and-learning-about-past-are-key-preventing-future-genocides>

29. ‘Sectarian-Based Violence: The Case of the Yezidis in Iraq and Syria’ (Middle East Institute) <<https://www.mei.edu/publications/sectarian-based-violence-case-yezidis-iraq-and-syria>> accessed 25 November 2020.

30. Similar discriminatory language was used against other minorities, including Christians and shabaks. See bearing witness report page 9.

31. <https://www.nytimes.com/2015/08/14/world/middleeast/isis-enshrines-a-theology-of-rape.html>

32. van Zoonen and Wirya (n 2).

33. ‘Doc.1_Framework of Analysis for Atrocity Crimes_EN.Pdf’ <https://www.un.org/en/genocideprevention/documents/our-work/Doc.1_Framework%20of%20Analysis%20for%20Atrocity%20Crimes_EN.pdf> accessed 3 December 2020.

present serious discriminatory, restrictive or exclusionary practices, serious tensions or conflicts between protected groups or with the State, segregations and the lack of national mechanisms or initiatives to deal with identity-based tensions or conflict³⁴ are all relevant indicators for the case of the Ezidi genocide.

Plan of Action

Relevant reports have tackled the inaction by the government of Iraq regarding crimes minorities have been subjected to, as well as in addressing root causes which fuelled the commission of atrocities.³⁵ The government of Iraq is under an obligation to prevent and suppress acts of genocide. Despite ongoing debate on the parameters of a state's duty to prevent genocide and when such obligation arises in international law,³⁶ there is a moral obligation on the State of Iraq to take active steps to inquire the root causes of Da'esh's genocide against Ezidis and act accordingly and take measures to avert the risk of similar atrocities in the future.³⁷

The Iraq Constitution of 2005 guarantees freedom of conscience and belief,³⁸ commitment to personal status according to one's religion, sect or belief,³⁹ freedom of worship and protection of places of worship.⁴⁰ Legislations and draft bills banning terrorist activities⁴¹ as well as guarantee of free speech⁴² and diversity⁴³ are also in the legislative process. Nevertheless, ensuring that components of the Iraqi society other than majorities are not discriminated against, while applying a genocide prevention lens requires more than mere constitutional provisions and

34. https://www.un.org/en/genocideprevention/documents/about-us/Doc.3_Framework%20of%20Analysis%20for%20Atrocity%20Crimes_EN.pdf, p 18.

35. 'Iraq-Bearing-Witness-Report-111215.Pdf' (n 9).page 8.

36. Etienne Ruvebana and Marcel Brus, 'Before It's Too Late: Preventing Genocide by Holding the Territorial State Responsible for Not Taking Preventive Action' (2015) 62 *Netherlands International Law Review* 25 <<https://doi.org/10.1007/s40802-015-0010-5>> accessed 21 November 2020."plainCitation": "Etienne Ruvebana and Marcel Brus, 'Before It's Too Late: Preventing Genocide by Holding the Territorial State Responsible for Not Taking Preventive Action' (2015

37. 'Doc.1_Framework of Analysis for Atrocity Crimes_EN.Pdf' (n 34).

38. Article 42 of the Constitution of Iraq, 2005.

39. Article 41 of the Constitution of Iraq, 2005.

40. Article 43 Second, Constitution of Iraq, 2005.

41. Law No. 32 of 2016 to prohibit the Baath Party besides racist, terrorist and takfiri entities, parties and activities, available at

42. Draft law on the freedom of Expression and protests, available at <https://bit.ly/3ibpxDX>

43. Draft law on the protection of diversity and prevention of discrimination, available at <https://bit.ly/2MQmLsf>

legislations. It further requires engineering new policies and revision of older ones in order to materialize the ‘never again’⁴⁴ commitment into concrete steps and prevent genocide in the future.

Policy Recommendation 1: Truth Commission

In the context of transitional justice, truth commissions are official nonjudicial bodies of a limited duration to determine the facts, causes and consequences of past human rights violations.⁴⁵ Such commissions normally, albeit not necessarily take place following the end of a conflict, and can be established by the executive, thereby overcoming the shortcomings of lengthy legislative processes.⁴⁶

Alongside many of the genocides known in history, such as the Holocaust, Rwandan genocide, Bosnian genocide and the Anfal genocide, modern states are more publicly addressing their history to review where it had perpetrated historical genocide against their own communities, and specifically indigenous people.⁴⁷

Truth commissions are powerful in creating and stirring public debate on the causes of genocide, raising awareness amongst the public on the need to identify and tackle root causes, as well as preparing the public for the possible findings and recommendations these commissions might find, and facilitate the implementation of its recommendations, which should further translate into policies.⁴⁸

Findings of a truth commission can also lay the ground for a robust legislative act solidifying the recommendations of truth commissions where legislative action is appropriate, while creating pressure on the legislature to take action and overcome political disagreements. The KRG Parliament passed a decision to recognize the

44. ‘OHCHR | Genocide: “Never Again” Has Become “Time and Again”’ <<https://www.ohchr.org/EN/NewsEvents/Pages/Genocide0918-7808.aspx>> accessed 13 January 2021.

45. ‘ICTJ-Book-Truth-Seeking-Chapter2-2013-English.Pdf’ <<https://ictj.org/sites/default/files/ICTJ-Book-Truth-Seeking-Chapter2-2013-English.pdf>> accessed 21 November 2020. ‘ICTJ-Book-Truth-Seeking-Chapter2-2013-English.Pdf’ <<https://ictj.org/sites/default/files/ICTJ-Book-Truth-Seeking-Chapter2-2013-English.pdf>> accessed 21 November 2020.

46. *ibid.*

47. ‘Truth Commissions and Indigenous Rights: What Is at Stake?’ (International Center for Transitional Justice, 22 July 2011) <<https://www.ictj.org/truth-commissions-and-indigenous-rights-what-stake>> accessed 13 January 2021.

48. ‘ICTJ-Book-Truth-Seeking-Chapter2-2013-English.Pdf’ (n 46).p.9

Ezidi genocide in 2019,⁴⁹ while the draft law recognizing the Ezidi genocide was proposed in the federal Parliament in October 2020, and has only passed the first reading to this date.⁵⁰

Additionally, truth commissions should limit their mandate to specific matters pursuant to the readiness of the political, and social realities so as not undermine the purpose it purports to achieve, and without compromising the genuineness and credibility of its mandate. The capacity and expectations of such committees should be outspoken and specific. It is crucial that a truth commission addressing the Ezidi genocide adopts a victim-centred approach⁵¹, rely on credible evidence and research, is limited in scope and clearly sets the boundaries and capacity of its mandate and recommendations. A truth commission on Ezidi genocide must not be presented as an investigative one in the first place, and emphasize that it does not, at this stage, aim to point fingers. It should rather help understanding where practices have gone wrong and how the ramifications of such practices can be prevented in the future.⁵² Establishing facts on the root causes of Ezidi genocide may create tensions over the sense of victimhood and culpability amongst groups and can escalate violence in affected communities. Thus, while the findings of truth commissions may be complementary to criminal justice, the expectations of such commissions as judicial bodies should be restricted.

Moreover, the abundance of investigative committees in Iraq have often created public doubt about their credibility, effectiveness, and genuineness. It is therefore paramount to carefully prepare, lobby and present this committee in a manner that does not further endorse public dubiety regarding these committees.

While an official truth commission on the Ezidi genocide would be beneficial in facilitating the implementation of the recommendations due to its official status, the possible taint of political bias as well as bureaucratic impediments are highly likely. An alternative option would be a truth commission which, albeit not formally endorsed by the state, enjoys a level of credibility. This would have the advantage

49. Kurdistan Parliament Resolution No. 11 of 2019 regarding the designation of August 3, 2014 as the Yazidi Genocide Day: <https://www.parliament.krd/english/parliament-activities/latest-news/posts/2019/august/kurdistan-parliament-passes-resolution-on-yazidi-genocide-remembrance-day/>.

50. A Yazidi deputy presents a bill recognizing the Yazidi genocide: <https://ezidi24.com/ar/?p=31355>.

51. 'ICTJ-Book-Truth-Seeking-Chapter2-2013-English.Pdf' (n 46).

52. *ibid.*

of encouraging the endorsement of its recommendations by the government in the following stage. A truth commission can be established of different expertise, ranging from academics, religious and social elites, altogether avoiding political interference. The role of international organizations at this stage would be equally crucial. The support in technical and subject matter expertise will be essential to support the efforts of such committee.

There are also considerable comparative experiences on truth commissions which could be informative for the modelling a truth commission in Iraq, while taking into consideration particularities of different experiences. Canada, New Zealand and Australia established truth commissions to address the legacies of colonial rule and practices on indigenous populations in their respective countries.⁵³ For example, Canada has established the Indian Residential Schools Truth and Reconciliation Commission In 2008 to expose the truth surrounding its practices towards the indigenous community in residential schools up until 1982.⁵⁴ Those committees are not only limited to knowing the truth, but to tackle implications of their acts on the current situation of those communities and rectify the wrong.⁵⁵ While the mandate of these commissions were not without criticism, Iraq can develop a model specifically tailored to address the case of the Ezidi genocide.

Policy Recommendation 2

Educational reform

Educational initiatives with a genocide prevention lens can also help avert the risk of future genocides in Iraq. Education systems should reflect the ethnic, national and cultural diversity of their society and set an example of inclusiveness in their policies.⁵⁶ For decades, Iraq's education system offers Islamic education only, leaving behind religious education regarding other components.⁵⁷ Religious

53. 'Truth Commissions and Indigenous Rights: What Is at Stake?' (n 48).

54. Government of Canada; Indigenous and Northern Affairs Canada, 'Truth and Reconciliation Commission of Canada' (14 December 2015) <<https://www.rcaanc-cirnac.gc.ca/eng/1450124405592/1529106060525>> accessed 13 January 2021.

55. Guematcha (n 8).

56. Para 22 of the 'Report on the Prevention of Genocide – Report of the Secretary-General (A/HRC/41/24) (Advance Unedited Version) – World' (n 17).

57. 'Reforming Religious Education Curricula in Iraq' (Institute of Development Studies, 17 September 2020) <<https://www.ids.ac.uk/opinions/reforming-religious-education-curricula-in-iraq/>> accessed 25 November 2020.

education for other components is only taught in areas where they are a majority.⁵⁸ Students of Muslim confession are not educated on other ethnoreligious components in Iraq, neither are minorities offered alternatives when leaving classes of Islamic education.⁵⁹ Religious education was subject to political policies before 2003, including the banning of teaching the Ezidi religion to the Ezidi component.⁶⁰ In post-2003, educational policies are criticized for its ambiguities, divisiveness and bias.⁶¹

Taking into consideration other social and historical factors that Ezidis have been subjected to, the lack of a curricula policy which fosters inclusivity of all religious components in Iraq can further impact their status and level of acceptance. Several studies have highlighted the impact of the state's religious education system on the status of minorities in Iraq, 'leading to discrimination and prejudice against religious minorities who are excluded from classes',⁶² as well as being a 'core contributor to marginalisation of religious education in Iraq and hindering freedom of religion or belief'.⁶³

The proposal to amend curriculum to become more inclusive emerged in post-2003 in several initiatives and has been tackled by various experts, specialists, and organizations. Efforts were equally at the level of governmental entities, involving the Ministry of human rights, and the Ministry of education, reaching final stages of approval.⁶⁴ While human rights education has been incorporated in the educational curricula since 2003, an atrocity prevention lens should be further developed,⁶⁵ to be incorporated in classes of history, human rights and religious education.

It is thus crucial that government-led policies tackling the reform of curriculum undertakes extensive mapping of all initiatives which took place, conduct studies

58. Iazgin Barany, 'teaching of religious education in iraqi state schools and the status of minorities in iraq: a critical review' 16.

59. Barany (n 59).

60. 'Social Change Amidst Terror and Discrimination: Yezidis in the New Iraq' (n 23).

61. Barany (n 59).

62. 'Reforming Religious Education Curricula in Iraq' (n 58).

63. 'Religious Education Reform in Iraq: Interim Findings of Students' Surveys', CREID, 1st April 2020, prepared by Yusra Mahdi.

64. 'Minorities-in-Iraq.Pdf' (n 24). p 200.

65. Para 45 of the 'Report on the Prevention of Genocide – Report of the Secretary-General (A/HRC/41/24) (Advance Unedited Version) – World' (n 17).

and assessments to identify impediments which have obstructed proceeding with such initiatives, and propose possible alternatives. Genocide prevention initiatives may be incorporated into existing mechanisms and structures through analysis of risks and develop tailored strategies with an atrocity prevention lens in mind.⁶⁶

Cooperation with educational institutions such as the UNESCO to help design specific curricula and education initiatives constitutes one promising path for educational reform in this area. The UNESCO chair on the Prevention of Genocide in the Islamic world at the college of Arts – University of Baghdad can be beneficial to develop empirical research on the status of genocide prevention in Iraq and pursuantly develop policies for the implementation in this regard.⁶⁷ The Institute for the Study of Religious Diversity is another initiative targeting grassroot levels, to foster religious acceptance in Iraq through curricula reform in Islamic traditional seminaries and higher education programs of Islamic studies, and where a Ezidi curricula has been authored by an Ezidi expert to be introduced as part of this initiative.⁶⁸ Moreover, as part of the Coalition for Religious Equality and Inclusive Development (CREID), Al Khoei foundation developed a reformed religious education curriculum, to improve awareness about religious diversity and responding to religious inequality.⁶⁹ Additionally, the use of virtual reality technologies to teach about the Ezidi genocide both in educational and political institutions is a recent example which can be further advanced in this regard.⁷⁰

The Government of Iraq could also align its effort on prevention of genocide and receive support as part of the Sustainable Development Goal 16 the 2030 Agenda for Sustainable Development, aiming to “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.”⁷¹

66. *ibid.*, para 22.

67. ‘College of Arts Receives the UNESCO Chair for Genocide Prevention Studies in the Muslim World University of Baghdad’ <<https://en.uobaghdad.edu.iq/?p=23786>> accessed 9 January 2021.

68. ‘Interview with Iraqi Expert Saad Salloum: Celebrating Religious Diversity in Iraq – Qantara. De’ (Qantara.de – Dialogue with the Islamic World) <<https://en.qantara.de/content/interview-with-iraqi-expert-saad-salloum-celebrating-religious-diversity-in-iraq>> accessed 13 January 2021.

69. ‘Reforming Religious Education Curricula in Iraq’ (n 58).

70. <https://plus.google.com/+UNESCO>, ‘Virtual Reality Technology Used to Teach about Genocide in Iraq’ (UNESCO, 11 December 2020) <<https://en.unesco.org/news/virtual-reality-technology-used-teach-about-genocide-iraq>> accessed 13 January 2021.

71. ‘Report on the Prevention of Genocide – Report of the Secretary-General (A/HRC/41/24) (Advance Unedited Version) – World’ (n 17).

Several challenges may be encountered regarding religious curricula reform in Iraq. Addressing social issues with religious aspects may be challenging, including advocating for reforming religious curriculum in Iraq. Nevertheless, these challenges can be addressed through activism and initiatives at the grassroots level to raise awareness on the importance of inclusive religious and cultural education on the prevention of future genocides in Iraq. Cooperation with credible institutions to conduct research, data collection, findings and follow up actions can further advance the success of such policies. Additionally, While curricula reform is crucial to reverse the case of religious minorities in Iraq and foster religious diversity and acceptance, this also needs to be coupled with change in teachers attitudes.⁷² Furthermore, sensitivity regarding the circulation of certain Ezidi religious texts and teachings may be encountered.⁷³ Ezidis should take lead, be consulted and involved in education reform and curricula content to ensure their ownership, satisfaction, and foster a sense of belongingness and inclusiveness, as well as avoiding the possible dissemination of misinformation regarding their religion and culture.

Conclusion

This paper proposed two policies for the Government of Iraq in line with its obligation to prevent the ongoing and future the risk of genocide against Ezidis. Research suggests that Da'esh's genocide against Ezidis is rooted in the misunderstanding and stereotypes surrounding the Ezidi theology and dates back to the rule of the Ottoman empire's forced conversions, the Ba'athist regime's policies and post-2003 waves of extremism and governance failures. The lack of national mechanisms or initiatives to deal with identity-based tensions or conflict are furthermore identified by the UN as indicators of specific risk factors for genocide. Without addressing the root causes of the genocide and its ongoing practices, the threat of the recurrence of genocide in the future is ongoing.

The first policy recommendation suggested the initiation of a truth commission with a specific mandate and a victim-centred approach, to raise awareness and stir public debate on the need to identify and tackle root causes of Ezidi genocide. Such commission is not only limited to knowing the truth, but further aims to tackle implications of current practices on Ezidis and rectify the wrong, as well as preparing the public for the policies pursuant to its findings and recommendations.

72. 'Coalition for Religious Equality and Inclusive Development (CREID)' 3.

73. van Zoonen and Wirya (n 2). Page 8.

The second policy recommendation consisted of an educational reform policy with a genocide prevention lens reflecting the ethnic, national and cultural diversity of the Iraqi society. Educational reform can consist of cooperation with educational institutions, grassroots level initiatives fostering religious acceptance in Iraq, curricula reform in Islamic traditional seminaries, use of innovative technologies to teach about the Ezidi genocide, as well as aligning its goals with the promotion of peaceful and inclusive societies, as part of the 2030 Agenda for Sustainable Development. Reform of curriculum should undertake extensive mapping of all initiatives, conduct studies and assessments to identify impediments which have obstructed the proceeding of such initiatives, and propose possible alternatives.

The implementation of these policies may be challenging on many fronts, including public acceptance, the risk of escalating violence, sensitivity regarding the circulation of religious texts and teachings, amongst others. Nevertheless, these may be overcome or reduced with careful engineering of these policies, ensuring their genuineness, credibility and effectiveness. Last but not least, it is of tantamount significance that Ezidis take lead in all stages of these policies, and are genuinely consulted and involved to ensure ownership, effectiveness and satisfaction.

Fellows' Profiles

Raafat Al-Baldawi, Holds a Masters of Finance from Baghdad University. He focuses on economic issues, in particular monetary and financial reforms. He has published on many platforms and participated in different economic activities, enabling him to build a wide network in the field of economics.



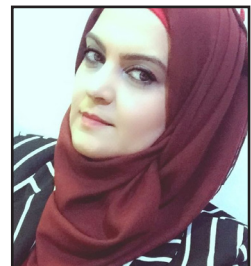
Ali Adnan Muhammed, Bachelor of International Studies/ AUIS works at al-Bayan University, focus on political developments and public sector reforms.



Faisal Al-Saffar, Mechatronics engineering student, researcher Interested in the economy, passionate about private sector development, renewable energy, and electrical grids.



Shaymaa Al-Kayali, Holds Master of Computer Science, works at IHEC Nineveh Office, focuses on electoral affairs.



Wisam Al-Sarray, Holds MA in International Relations from Mustansiriya University He is a Diplomat at Iraq Foreign Ministry.He focuses on issues of democratization.



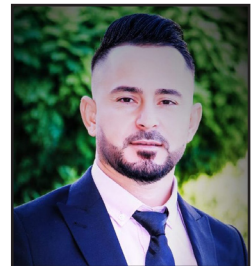
Zahraa al-Sadr, Political activists, interested in domestic politics, focus on issues of democratic transition and electoral reform.



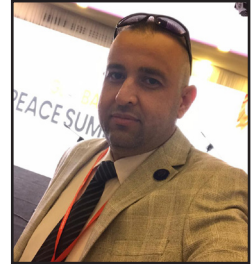
Miraaj Ahmad Ismael, PhD of Law, interested in political affairs and transitional justice, and societal peace.



Farhan Ibrahim Shankali, Founder and Managing Director of Youth Bridge Organization co-founder of Yazidi Survival Office since 2014, participated in tens of conferences, seminars, and roundtables on change, promoting democratic values, and human rights.



Ashref Samarai, Lecturer at Tikrit University, human rights advocate and volunteer in a number of NGOs since 2014.



Zeidon Alkinani, PhD candidate in Politics and International Relations at the University of Aberdeen. Holds an M.S.c. in International Public Policy from University College London (UCL). He focuses on issues of geopolitics, identity politics, democratization, civil societies, and other humanitarian issues in Iraq and the MENA region.



Hajar M. Baker, Holds an LLM in International Human rights law. She focuses on transitional justice, international criminal law and human rights, mainly in Iraq.



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He holds a bachelor's degree from the University of Baghdad in political science and a master's degree in political systems from Western Illinois University in the United States of America

He Teaches Political Systems of Arab World at the University of Kufa, published research and articles on several platforms, including Al-Bayan Center for Studies and Planning and 10001 Iraqi Thoughts. He participated in the Iraqi Leaders Fellowship and prepared an advocacy campaign on electoral system reform. Trained postgraduate students on research methods for three consecutive years at Al-Bayan Center.



Ali Al-Mawawi

He holds a Masters degree in International Studies and Diplomacy from the University of London in the United Kingdom.

A consultant and political analyst for more than 10 years, he directed the research department at a policy centre in Baghdad, Al-Bayan Center for Studies and Planning, and wrote on many public policy topics, including public financial management, decentralization, and policy planning, currently focusing on issues of political economy in Iraq and the potential Institutional reform.



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He holds a master's degree in economics and development.

Director of the Middle East Program at the International Energy Agency, where he manages its efforts in the region and acts as the main consultant for executive management. He worked as an energy analyst and contributed to preparing seven reports for the International Energy Agency on long-term energy patterns in the world. The International Energy Agency on the Energy Situation in Iraq, published in Baghdad in April 2012.

