



مركز المنصة للتنمية المستدامة  
PLATFORM CENTER FOR SUSTAINABLE DEVELOPMENT

# Election of Provincial Councils - Opportunities and Challenges Roundtable Discussion





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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

- Encouraging youth to work towards achieving sustainable development goals

- Establishing a network of active, informed, and committed citizens towards Iraq's state-building project

## Introduction

The Platform Center for Sustainable Development (PSDIraq) held a roundtable discussion on Saturday, October 28, 2023, to explore the opportunities and challenges in the upcoming elections for Provincial Councils. The discussion covered various topics, including the likely impact of elections on the level of services and public representation, turnout, and electoral competition. The session was attended by a group of experts, academics, researchers, and some fellows of the Iraq Policy Program (Third Round) who presented their policy papers on elections.

**Mr. Hashim Al-Rikabi**, PSDIraq President opened the session, welcoming the attendees and highlighting the center's most important activities and projects. He emphasized the center's commitment to its vision of bridging the gap between youth and state institutions through various means, including sessions and dialogues with youth, experts, and decision-makers to diagnose issues in different sectors and provide suitable solutions and alternatives. He commended the researchers from the Iraq Policy Program (Third Round) for their policy papers and invited them to share their ideas during the session. He emphasized that the report resulting from this roundtable discussion would be published in the second issue of the Platform Journal.



Mr. Al-Rikabi emphasized the importance of today's session, particularly in light of the upcoming elections. He noted that Iraq's elections have demonstrated the flexibility of the political system. With each electoral cycle, there are changes in the electoral system, and there's a growing desire among the youth to run for office. Since 2003, the electoral system has become more transparent, transitioning from a closed-list system to an open-list system, allowing both individual candidates and lists to run for elections. He concluded by stating that the inputs and insights from the attendees would contribute to the maturation of ideas and discussions, and the fundamental question was whether these elections would lead to stability within the provinces.

### ■ Dr. Abdul Jabbar Ahmed

Former Dean of the College of Political Science at the University of Baghdad

- Provincial councils represent a constitutional pillar that embodies political decentralization, a crucial aspect of Iraq's democratic life. Although there are challenges in decentralization, it distinguishes Iraq's modern experience.
- This pillar wasn't firmly rooted in the political culture. For instance, the issue of transferring authorities saw differing perspectives. Additionally, the experience of provincial councils and their subjection to the Federal Court's rulings, was followed by renewed demands of dissolving these councils during the period of protests.
- We conducted a field study on the number of meetings and recommendations in provincial councils. We found that one provincial council held only one 10-minute meeting, during which a single decision was made – to purchase cars. In contrast, other provincial councils had bylaws, meeting minutes, and adherence to attendance, illustrating that the problem isn't the decentralized system itself but rather those who practice it.
- The current Prime Minister has emphasized reviewing the Law of Provinces not incorporated into regions. However, the efforts were limited to amending election law. Merging provincial and parliamentary elections in one law created an incorrect overlap.





- Following the Tishreen protest's events and the failure of those who claimed to represent the protest, a significant gap emerged between the public and the political class. This will likely lead to increased voter abstention and non-participation, benefiting the ruling parties.
- In some provinces, there is talk about predetermined outcomes for certain lists, which diminishes the scope for choice and trust. Moreover, some provinces have begun considering candidates for governor even prior to the conduct of elections.
- The political forces are determined to make the upcoming provincial council elections a trial run for the parliamentary elections to capitalize on the results.
- There's no sign that the future provincial councils will feature opposition forces, as voters are seeking meaningful voting. This voting, however, remains controlled by specific parties, and there is no hope of new forces representing opposition.

### ■ Mr. Mujtaba Al-Qadi

Supervisor of the Studies and Research Department at the Ashur Center for Democracy Support

- I like to start from a different perspective and shed light on the voter's psychological aspect, which is important. As an observer of the electoral situation in Najaf, I find a pressing need for candidates to satisfy the behavioral and psychological needs of the voters. However, this does not happen, as candidates tend to focus on materialistic behaviors, neglecting the psychological aspect. As a result, voters transition from being behavior-oriented to materialistic, in exchange for specific services or items. Political parties and alliances lack mechanisms to satisfy the psychological needs of the voters.

### ■ Ms. Aya Al-Jamili

#### Bayan Center for Studies and Planning

• I would like to emphasize the issue of the failure of the political process to create awareness. Voters lack awareness of their rights towards the candidates they elect. Therefore, when a candidate offers any simple service, the voter considers it important and representative of the role of a deputy or a provincial council member. I propose focusing on awareness among university students by involving and hosting them in awareness sessions since they all have the right to vote. Thus, it is essential to invest in this demographic.



### ■ Mr. Ali Abdul Zahra

#### Fellow of the Iraq Policy Program (Third Round) – Journalist Interested in Electoral Affairs

- I do not want to differentiate between traditional parties and post-Tishreen parties because, if we want to discuss the establishment, objectives, and formation of these parties, they operate in the same way in terms of lacking clear programs.
- Voters are divided into two groups: partisan voters and patronage voters. This division results in the challenge of low voter turnout, and we witness even lower participation rates in every election.
- We emphasize the importance of voter turnout, even though the Constitution does not specify a particular percentage. Participation ensures political stability and legitimacy for those in power.
- Some citizens lack awareness and sell their voting cards. Parties also buy voters' support in this way. Therefore, civil society organizations should engage with citizens to raise awareness about the electoral process, ensuring political stability and successful elections.

### ■ Mr. Ahmed Al-Wandi

#### Spokesperson for the Victory Alliance

- Regarding the topic of holding or postponing the elections, I believe the elections will proceed as scheduled. Preparations have been made by political blocs, and a significant amount of money has been spent. However, there may be exceptional circumstances that could delay the elections.
- We have several concerns, the first being the voter turnout. The expectation is that voter turnout will be lower than in the 2021 elections, despite reservations about the previous electoral law, which only represented 5 million out of 9 million eligible voters in the parliament.
- We are concerned about the large sums of money being spent by some political parties to ensure the victory of certain candidates in specific regions. This poses a threat to the integrity of the electoral process. If this continues, I do not see a genuine effort to combat the issue of political patronage in the country.
- There are future economic challenges despite the favorable financial state of the country, as the economic situation is unstable and reliant on fluctuations in oil prices. The government lacks real capability to address these challenges without adopting a reformist approach.



### ■ Mr. Hashem Al-Husseini

#### Specialist Trainer in Political Development and Good Governance

- I believe it is difficult to postpone the elections as the electoral law has set a date no later than December 20, 2023. Any postponement would require returning to the parliament, which is challenging.



- Regarding electoral appeals, the Ashraaqat Qanoun Bloc has filed appeals against specific legal provisions with the Federal Court. The Federal Court's decision accepted the appeal, requiring a review by the parliament and amendments in line with the constitution.
- Regarding provincial councils, they are a good platform for monitoring governors. After the suspension of the provincial council, governors have had unrestricted power in certain areas not within their authority. Additionally, they have control over the province's resources for their personal benefit.
- As for fair electoral competition, it is challenged by incumbent governors who utilize all state resources to ensure winning seats in the upcoming elections. The budget has been approved before the elections, providing incumbent governors with greater authority in utilizing state resources for their benefit.
- Voter participation rates are likely to be reasonable. Parties are mobilizing their supporters to ensure the success of these elections, as they serve as a gateway to parliamentary elections.
- Emerging parties may suffer as they lack a dedicated ideological and organizational base and rely on undecided voters who may not be guaranteed to participate.
- No entity can fill the vacuum left by the Sadr Movement, but there is an opportunity for candidates to connect with this audience by addressing their needs and concerns, potentially attracting some of their votes.

### ■ Dr. Amjad Al-Hathal

Legislative Department in the Parliament

- Many of the issues being raised are tactical and strategic issues that, in Iraq, are not subject to genuine scientific evaluation. We face two experiments: first, the dissolution of the Offices of the Inspector Generals, and second, the suspension of the provincial councils. These institutions are supervisory bodies in the structure of the Iraqi state.



There should be an evaluation of the performance of these institutions, areas of their failure, and their success. I haven't observed a scientific evaluation by the executive and legislative authorities. I believe the existence of research centers and intellectual institutions opens the door for the executive authority to collaborate with them in studying experiences and reducing improvised decisions.

- I wonder whether the amendments to the electoral law and the electoral systems within have undergone an objective evaluation of the transition from one system to another, and what is the scientific basis upon which these changes were made.
- Is it correct to merge the electoral laws for provincial councils and the national parliament, given that these are two distinct institutions in terms of objectives, performance, candidates, representation, and roles? This issue affects stability and participation.
- We have an electoral system, Sainte-Laguë, which is a complex system that is difficult for citizens to understand, while the system used in 2021 was clear, explicit, and easy to comprehend, as the winner was the one who received the most votes.
- There is manipulation within the Commission regarding the timing of the candidacy of one candidate over another from the same bloc. This occurred in the previous elections and requires real resolution.
- Voter turnout depends on two factors: first, services and addressing major issues like poverty, unemployment, and infrastructure improvement. How can you convince voters to participate when elections yield the same results? Second, what are the electoral programs that address internal problems in the province? As long as the mindset, performance, and outcomes are the same, I don't believe there is hope for increasing turnout.
- I highly doubt the ability of any political party to capitalize on the vacuum left by the Sadr Movement in the electoral arena, as it has ideological and direct control from the movement's leader.



- The performance of the new blocs faces challenges, affecting the appeal of independents and new blocs, meaning there is no increase in participation.
- There are 9 million voters who will not participate in the elections because they do not possess a biometric card, which will decrease participation.
- There are no elections in the world with equal opportunities, but in Iraq, the gap between one candidate and another is very significant.

### ■ Dr. Osama Al-Shebibi

#### Executive Director of Al-Baider Center for Studies and Planning

- Even after 20 years, we are still debating the importance and necessity of provincial councils despite them being a constitutional and essential cornerstone. They cannot be dispensed in the context of the modern state.
- In a country with diverse responsibilities and characteristics like Iraq, having a decentralized system is a fundamental issue that cannot be overlooked. In the midst of political instability, provincial councils serve as a primary and essential source of executive authority. Therefore, their existence is fundamental and important, and unfortunately, some attribute poor performance to the reason for having this institution.
- Provincial councils have faced fundamental theoretical and practical challenges, with the first one being theoretical, represented by the unclear vision of the constitutional drafter regarding the establishment of these councils, as the mentality behind drafting the constitution was more of a confederal one. Are provincial councils legislative and supervisory bodies, or are they administrative and service-oriented councils? This issue has affected the legislative aspect of the law.



- In practical terms, provincial councils have transformed into political councils rather than the developmental and administrative bodies they were meant to be. This transformation has influenced the performance of the national parliament as well, and the administrative and service aspects have been neglected. It is a mistake to merge two institutions with different roles, objectives, and candidates under one law.
- The elites should encourage citizens to participate, but some of them repeat in the media what citizens are already saying, which discourages citizens from participating. Even though the electoral process has evolved, as in the first elections, the vote was cast for a closed list, and no one knew the candidates inside. Now, everything related to the candidate is closely scrutinized.
- One of the problems with elections in Iraq is that everyone believes they should establish political parties and engage in political activities, which has led to chaos within the parliament and provincial councils. This is not true, as politics requires work, expertise, and influence. Despite freedom guaranteeing political engagement for all, not everyone is well-suited for political work.

#### ■ Dr. Hussein Al-Fadhli

PSDIraq's Director of Public Relations

- The third amendment law No. (4) of 2023 provides an opportunity to build trust in the upcoming elections by placing cameras at polling stations for monitoring. The law also supports manual vote counting alongside electronic counting.
- It restricts elected members from changing their political affiliations until the council is formed, reducing political fragmentation. However, the challenge is the overlapping responsibilities between council members and members of parliament, as many MPs are increasingly involved in service roles.



**Dr. Ghassan Al-Saad** Political Science Specialist

- The merger of the two electoral laws has faced several criticisms without specific details or clear objections to the law.
- While we may not prefer an elected member of parliament to be from the same family, there's no legal issue with it. If the MP is not performing well, they wouldn't dare to nominate a relative and gain the electorate's support.
- The weak points include concerns about money in politics, the Electoral Commission's timid approach to this issue, and the legitimate and illegitimate use of power in distributing land that incumbent governors and ministers utilize, which impacts the rise of independent political blocs.


**Ms. Lamea Al-Ameri** Journalist and Election Monitor at Shams International Network

- There is exploitation of people in remote areas through food baskets and buying voters' cards. Addressing this issue starts with raising awareness among citizens to prevent them from falling victim to such practices.
- We have leaders and national media outlets that can contribute to raising awareness among voters and stopping the exploitation of vulnerable citizens by some parties that make false promises of services and jobs.
- We must all work together to increase awareness and reduce exploitation.



### ■ Mr. Omar Ayad

#### Election Monitoring Network Member

- The current electoral law aligns with the ruling party's desires and undergoes continuous changes based on political circumstances.
- New parties and movements received a substantial number of votes but struggled to secure seats, as their supporters are not as organized as established parties. There is a perception that elections will not be postponed.
- The focus on Gaza's situation and the beginning of election campaigns at this time does not favor the electoral process. Voter turnout may not exceed 10%.



### ■ Dr. Walid Al-Zaidi

#### Former General Director of Operations at the Independent High Electoral Commission

- Many have criticized the merger of the two laws without specifying detailed concerns. The main purpose of the merger was to legislate both laws within a single basket to prevent future amendments within the next two years before the parliamentary elections.
- Those who wrote the election law lacked experience in electoral operations. Even if they had experience within the Electoral Commission, it differs from working in the operational department.
- The law introduces the establishment of counting and verification centers, which will take time to set up and has raised concerns about transparency since votes were counted at polling stations in the presence of political entities in the 2021 elections.

- The current focus on the situation in Gaza and the start of electoral campaigns may not be in favor of the electoral process. There are discussions about postponing the elections due to concerns about low participation, which may not exceed 10%.



### ■ Mr. Khalid Al-Marsoumi

#### Spokesperson for the Nazil Akhith Democracy Movement

- The 2021 elections provided us with the opportunity to engage with the electoral environment, and while we did not win any seats, we did gain about 30,000 votes.
- A candidate relies heavily on communication and social engagement, with the presentation of electoral programs coming in the second phase. We have candidates in 15 governorates under the name Civil Values Alliance and candidates in 4 other governorates under different names. Each candidate focuses on their area of expertise and the issues that matter most to the voters.
- Our main goal is to enter these councils to create an opposition, expand horizontally across governorates, develop the political and party scene, and emphasize non-partisanship and anti-corruption measures.
- We submitted a complaint to the Electoral Commission regarding some parties' exploitation of state resources for self-promotion. The commission responded that they were studying the matter, and we have also lodged complaints with the Higher Judicial Council on other election-related issues.

### ■ Ms. Aala Al-Tamimi

Secretary-General of the Arak Party and Candidate for Provincial Council Elections – Baghdad

- I'd like to share my experience as a candidate for the parliamentary elections in 2021 and as a current candidate. I must say that the previous elections were much easier than the current ones, which seem to facilitate the dominance of major parties in power.
- I've observed that voters are becoming more informed, especially in impoverished areas. They are increasingly discerning, demanding services in exchange for their votes.
- Some candidates are still engaging in buying votes, and I've heard that you can purchase 1,000 votes for 12 million dinars. However, the electorate is shifting towards evaluating candidates based on service delivery to citizens.



In conclusion, the President of the Center, **Mr. Hashim Al-Rikabi**, emphasized the development in the electoral system. There are five fundamental criteria to evaluate electoral systems: representation, accountability, transparency, fairness, and political stability. In Iraq, the system has made improvements in representation and transparency, with the presence of political entity observers and election monitoring networks. Small parties benefit from the Sainte-Laguë system, which encourages them to form coherent alliances, which, in turn, makes the law beneficial in several ways. From my perspective, participation might increase given the large number of candidates representing various political spectra.

It's important to emphasize that the negative discourse around elections and perceptions that they are predetermined can deter voters. I conducted a study on re-election rates, comparing the US to Iraq. In the US, re-election rates are about 50%, while in Iraq, they do not exceed 20%. This highlights the significance of elections in Iraq.

Regarding provincial councils, their performance has faced challenges, but it's important to note that these challenges are not exclusive to provincial councils. Reports indicate shortcomings in the performance of the national parliament and ministries. Having these councils is essential for achieving political and administrative stability, as governors can work for four years, which reduces the frequent changes seen in the absence of provincial councils in various governorates.



## Recommendations

- Focus on raising voter awareness to help them exercise their constitutional right without undue pressure, including sessions on the Sainte-Laguë system.
- Work towards achieving minimum fairness in election campaigning to ensure acceptable electoral competition by actively curbing political money and power abuse.
- Conduct scientific studies to assess oversight experiences and guide decision-makers on enhancing them, including provincial councils.
- Promote a culture of checks and balances in provincial councils to improve their performance and reinforce the democratic experience.





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