



Iraqi Elections

CAABU Factsheet

December 2004

BACKGROUND:

- ❖ There are three elections scheduled for January 30, 2005:
 1. Nationwide election for the Transitional Government's National Assembly, a 275 member body, who will be responsible for writing the new Iraqi constitution;
 2. Those in the Kurdish region will vote for a 105 member Iraqi Kurdistan National Assembly;
 3. All Iraqis will be voting for a local provincial government in each of Iraq's 18 governorates.¹
- ❖ Iraq will be a single electoral constituency and election results will be determined by proportional representation.² Iraqis will vote for a political party, then, depending on the percentage of the votes the party receives, seats will be assigned. The formula determining the distribution of assembly seats will be based on the Hare quota.³
 - The reason behind deciding on a single national list is that it should reduce "the chance that rival parties will clash violently with each other, as they might if they were competing for seats in smaller constituencies".⁴
- ❖ This type of system of proportional representation is being used in all of the polls taking place.

ELECTION RULES:

- ❖ Any political entity, meaning political party or interest group, may present a list of legally eligible candidates for the National Assembly to the Commission.

¹ See Appendix A for a list and map of 18 Iraqi governorates.

² Election Rules and Regulations are outlined in CPA Order 96.

<http://www.iraqcoalition.org/regulations/20040615_CPAORD_96_The_Electoral_Law.pdf>

³ See Appendix B for description of Hare Quota.

⁴ Economist, "The election season begins," 6 November 2004. pp 65.

- ❖ The lists that are presented to the Commission must have the candidates' names in a ranked order and the candidates may not be reordered or changed in any manner.
- ❖ For every three names, at least one out of the three candidates on the list must be a woman.
- ❖ Individuals may run on a list as a single candidate.
- ❖ In order for either a political entity or an individual to run, they must present the Commission with a petition with over 500 signatories.
- ❖ After the election, the seats will be allocated to an individual not a political entity.
- ❖ In order for a group or individual to run, they must be approved by the Commission. However, it is unclear what guidelines are being used to determine whether an organisation or individual is approved or not.⁵

VOTER REGISTRATION:

- ❖ Voter Registration Rules:⁶
 - Must be deemed an Iraqi citizen.
 - They must be 18 years of age as of December 31, 2004.
 - Voters must be registered through the Commission.
- ❖ Registration of Voters:
 - With elections three months away, UN Aide, Carlos Valenzuela stated that the Independent Election Commission of Iraq (IECI) has assembled a list of nearly 14 million Iraqi voters, set up 550 voter registration sites around the country, and hired 6,000 people to staff them.⁷
 - Registration began on 1 November 2004.
 - Registration will be based on data used by Saddam Hussein's former government to distribute food rations. Heads of households are able to pick up 2005 ration cards beginning on 1 November and while at the food distribution centre, they can check to make sure that all eligible voters in their house are on the electoral roll.⁸
 - On 5 November 2004, 85% of the 542 registration centres were open.⁹

INDEPENDENT ELECTORAL COMMISSION OF IRAQ (IECI):¹⁰

Established as an "independent and autonomous, non-partisan, neutral and professional government office that shall have the authority to promulgate,

⁵ Walter Pincus and Anthony Shadid, "Iraq faces hurdles on details of elections," Washington Post, 30 November 2004. <http://www.washingtonpost.com/wp-dyn/articles/A20660-2004Nov29.html>

⁶ Election Rules and Regulations are outlined in CPA Order 96. http://www.iraqcoalition.org/regulations/20040615_CPAORD_96_The_Electoral_Law.pdf

⁷ Dexter Filkins, "UN Aide Says Iraqi Elections are on Target," 22 October 2004. <http://www.nytimes.com/2004/10/22/international/middleeast/22elections.html?pagewanted=print&position=>

⁸ BBC, "Q&A: Iraqi Elections," BBC.NEWS, 1 November 2004. http://news.bbc.co.uk/1/hi/world/middle_east/3971635.stm

⁹ UN News Centre, "Annan says UN will do all it can to help Iraqis advance political process" 5 November 2004. <http://www.un.org/apps/news/story.asp?NewsID=12462&Cr=iraq&Cr1=>

¹⁰ IECI established in CPA Order 92. http://www.iraqcoalition.org/regulations/20040531_CPAORD_92_Independent_Electoral_commission_of_Iraq.pdf

implement, and enforce regulations, rules and procedures” concerning the upcoming 2005 elections.¹¹

- ❖ Principal duties of IECI:¹²
 - To ensure the successful administration of genuine and creditable elections in accordance with the Transitional Administrative Law.
 - Establishing, developing, certifying, and maintaining the voter roll.
 - Helping to build societal support and local confidence in the electoral process throughout Iraq.
 - Regulating the registration and certification of political parties and candidates for office.
 - Accrediting election observers and officers who monitor and observe elections in Iraq.
 - Resolving electoral grievances and disputes; and certifying election results.

IECI COMPOSITION:

There are nine members of the commission. Seven members are Iraqi citizens who are eligible to vote in the 2005 elections. The two remaining members are not able to vote in the upcoming elections. One is the CEO of IECI, who is also an Iraqi citizen, and the other is an UN elections expert.¹³

- ❖ The process that determined the voting members of the IECI is described in CPA Order 92, Section 5.¹⁴ First, Iraqi citizens and Iraqi organizations proposed nominees. Second, from this pool of nominees, the UN composed a list of qualified candidates and presented it to the Governing Council. Then, the Governing Council ranked the candidates and presented the ranked list to the Administrator, Paul Bremer. Lastly, Bremer appointed the seven voting members. The CEO of the IECI was selected in a similar manner. The Secretary General of the United Nations, Kofi Annan, selected the international election expert.
- ❖ The commission has two female members and members from all major ethnic and religious minorities in an attempt to ensure the non-partisan and neutral status of the organization.

UN ROLE IN ELECTIONS:

- ❖ The Security Council agreed to support the Iraq elections:
 - In Article 7 of UN Security Council Resolution 1546, it states that the Special Representative to the Secretary General and the United Nations Assistance Mission to Iraq (UNAMI) should play a leading role in advising and supporting the IECI, and in a direct and legitimate election.¹⁵

¹¹ CPA, CPA/ORD/31 May 04/92, Section 3(1).

¹² CPA, CPA/ORD/31 May 04/92, Section 3(3).

¹³ See Appendix C for list of IECI members.

¹⁴ CPA, CPA/ORD/31 May 04/92, Section 5.

¹⁵ UN, “Resolution 1546” 8 June 2004, Article 7.

- ❖ There are currently eight UN election experts in Iraq advising the IECI. Depending on the security situation, the UN intends to send up to 25 more experts.¹⁶
- ❖ On 5 November, the UN announced that more international staffers would head to Iraq to help with preparing for the January election. In New York, Annan told reporters, “the United Nations is determined to do whatever it can to assist the Iraqi people, the circumstances permitting”.¹⁷

ELECTION ISSUES/OBSTACLES:

- ❖ International Monitoring:
 - No matter what the outcome, the election may be contested. Therefore it is imperative that there is a non-partisan and un-biased organisation to monitor the election and to verify its legitimacy. Without a legitimate election, the National Assembly and the new constitution will be invalid.
 - Although the UN has pledged its support in advising the elections, Annan has also stated that the UN “is not going to Iraq to monitor elections in January”.¹⁸
 - Currently, it is unclear whether there is any organisation monitoring the elections.¹⁹
- ❖ Polls and Poll Workers:
 - Election Polls: UN and election experts have said there will be 30,000 polling stations within Iraq. Each site will have at least four workers, making a total of 120,000 poll workers.
 - Training of Staff:
 - All 120,000 staffers will need to be trained. So far, only 6,000 poll workers have been hired. Therefore, another 114,000 need to be hired then trained.
 - Along with the UN there are three US-based organisations assisting with different aspects of training: the International Foundation of Election Systems, the National Democratic Institute and the International Republican Institute.
- ❖ Increase in Violence:
 - As of 10 November 2004, there was a US-led assault on Fallujah, the Iraqi PM had declared a state of emergency across most of the country, foreign nationals were being attacked, and Iraqi police and military were targets of resistance groups. More than 160 foreigners have been abducted, and of

¹⁶ UN News Centre, “Talks between UN Envoy and Iraqi Foreign Minister Focus on Elections,” 27 October 2004 <<http://www.un.org/apps/news/story.asp?NewsID=12356&Cr=iraq&Cr1=>>

¹⁷ UN News Centre, “Annan says UN will do all it can to help Iraqis advance political process” 5 November 2004. <<http://www.un.org/apps/news/story.asp?NewsID=12462&Cr=iraq&Cr1=>>

¹⁸ UN News Centre, “Elections in Iraq on Track, Annan Says,” 19 October 2004, <<http://www.un.org/apps/news/story.asp?NewsID=12272&Cr=iraq&Cr1=>>

¹⁹ National Democratic Institute for International Affairs does have a job posting on-line for a “Resident Manager for Domestic Election Monitoring” in Iraq, but actual documentation of the organization going into Iraq to monitor election has yet to be found. Another concern is that this organization is based in the US and therefore its unbiased status can be argued. NDI, “Employment: Current Openings – Resident Manager for Domestic Election Monitoring,” 27 July 2004 <http://www.ndi.org/employment/current/mena/iraq_elections_072704.asp>

these at least 33 have been killed.²⁰ There are several possible outcomes of the violence:

- i. Postponing or cancelling the elections in extremely violent regions:
 - In some areas that are extremely volatile, it has been suggested that elections should not be held. The Bush Administration and Iraqi Prime Minister, Allawi, believe it is crucial that the elections are held on time, even if it means that some regions do not get to vote.
 - US Secretary of Defence, Donald Rumsfeld stated, “let’s say you tried to have an election, and you could have it in three-quarters or four-fifths of the country, but some places you couldn’t because the violence was too great. Well, so be it. Nothing’s perfect in life.”²¹
 - Members of the IECI disagree and believe that “denying the vote to the most resistive parts in Iraq...would severely weaken the legitimacy of Iraq’s first elected legislature”.²²
 - Keeping the deadline is very important, especially for the US and Grand Ayatollah al-Sistani. Sistani states that any failure to meet the deadline would “signal extreme bad faith on the part of the US government” and might force him into “outright opposition of the US presence in Iraq”.²³
 - On 1 November 2004, the deputy governor of Baghdad was assassinated. The attack came after the first day of registering voters for the January elections.²⁴ Militant groups have also made threats against election workers in an attempt to disrupt the election.
 - ii. The violence presents a threat to the efficient monitoring of the polls:
 - As a result of the violence in the region, the UN is hesitant to send people into Iraq. Unfortunately, without the proper staff, the training necessary for poll workers will not occur.
 - iii. It might prevent Iraqis from going to the polls.
 - Polling centres will be an easy target for terrorists, and the threat of an attack could deter Iraqis from voting – in a recent IRI poll, 7% of Iraqis stated that they do not plan to vote because of the violence.
- ❖ Another concern is that, even if the security situation allows the voters to go to the polls, and the workers to receive the appropriate training, Iraqis may not know what to do at the polls. Many Iraqis are not aware what they are voting for; many believe they are voting for a prime minister, not a National Assembly and municipal governments. One Iraqi expresses their concern: “We don't yet know where to vote, or how it is going to be done. Are we

²⁰ Kim Sengupta, “Baghdad’s Deputy Governor Shot Dead as Voters Register,” Independent
<http://news.independent.co.uk/world/middle_east/story.jsp?story=578456>

²¹ Council for Foreign Relations, “Iraq: Election Plan,” 27 Sept 2004
<http://www.cfr.org/background/background_iraq_electionplan.php>

²² Ibid.

²³ Helena Cobban, “Make Vote the Priority in Iraq,” The Christian Science Monitor, 9 September 2004
<<http://www.csmonitor.com/2004/0909/p09s01-coop.html>>

²⁴ BBC, “Top Baghdad Official Shot Dead,” BBC.NEWS, 1 November 2004
<http://news.bbc.co.uk/1/hi/world/middle_east/3970619.stm>

going to vote for a leader or for a larger group? What are their names? I don't know".²⁵

CURRENT TRENDS AND ELECTION NEWS:

- ❖ Current trends (from an opinion poll conducted by IRI from Sept to Oct):²⁶
 - 45% of Iraqis believe that the interim government is heading in the wrong direction. This could cause result in an assembly that is anti-American.
 - Almost the entire Shia community, including Moqtada al-Sadr and his followers, who until recently were against the election, are in favour of the election. So are the majority of the Iraqi Kurds. It is in the Sunni dominated areas that resistance and violence might make it impossible for the elections to be held.²⁷
 - Religious leaders are the most recognised and supported candidates in the election.
 - The poll revealed that the most popular politician is the leader of the Supreme Council for the Islamic Revolution in Iraq, Abdel Aziz Hakim; 51 percent of those polled want to see him in the national assembly.
 - Rebel Shiite cleric, Moqtada al-Sadr, was also popular; 46 percent of Iraqis want him in the national assembly.
- ❖ Election News:
 - Currently, there are seven main political parties:
 1. Iraqi Islamic Party
 2. Da'awa Party
 3. Iraqi National Accord
 4. Iraqi National Congress
 5. Democratic Kurdistan Party
 6. Patriotic Union of Kurdistan
 7. Supreme Council for Islamic Revolution in Iraq.²⁸
 - In addition, there are nine minor political parties and other minor Kurdish, Turkmen, and Assyrian parties.
 - It is expected for the vote to be split along sectarian or ethnic lines: Shia voting for Shia, Kurds for Kurd, and Sunni for Sunni.
 - Iraqi Shia Islamic parties have recently stated that they have a preliminary agreement to run a single list of candidates in the January elections.²⁹
 - On 8 November 2004 a spokesman for Moqtada al-Sadr stated that some followers of the radial Shia leader would run in Iraq's parliamentary election as part of an alliance of Shia parties. Of the 275-member list, 52% of the spots were apportioned to the religious-based political parties. The supporters of al-Sadr were apportioned 12%, 20% were allotted to the three branches of the Da'awa party, the Supreme Council for Islamic Revolution in Iraq and the Iraqi Hizbollah were allocated 15% between

²⁵ Rory McCarthy and Osama Mansour, "Death threats and sectarian splits: voters fearful and confused," 22 November 2004. <<http://www.guardian.co.uk/Iraq/Story/0,2763,1356751,00.html>>

²⁶ The poll was conducted by IRI, between September 24 and October 4, 2004. It consisted of over 2,000 face to face interviews of all ethnic and religious groups. IRI, "Survey of Iraqi Public Opinion," October 2004, < <http://www.iri.org/pdfs/IraqSept-OctPublicOpinion.ppt>>

²⁷ Economist, "The perils of imprecision," 6 November 2004. pp12.

²⁸ Electionworld.org "Elections in Iraq," 24 October 2004 < <http://www.electionworld.org/1>>

²⁹ Salaam: News Online, "Shias 'Agree' Deal on Candidate List for Iraq Elections," 21 October 2004 <http://www.salaam.co.uk/news/displaynews.php?news_id=228723>

them, and 5% was assigned to the Virtue Party of Ayatollah Mohammed al-Yaaqubi.³⁰

- In Iraq, 60 percent of the population are Shia Muslims, and therefore it is possible for Shiites to dominate the assembly.

OUTSTANDING ISSUES OF CONCERN:

❖ External Iraqis:

- The voting rights of Iraqis that fled Iraq during Saddam Hussein's regime have recently been questioned. There is concern over whether Iraqis in the Diaspora will be allowed to vote. If so, there is the further question of which rules will govern how they will be registered.
- The Da'awa Party recently stated they are "willing to coordinate in a registration process within the communities of Iraqis living abroad and in cooperation with the UN and the Iraqi embassies to ensure that any obstacles to the process are overcome."³¹
- On 4 November 2004, the IECI spokesman Farid Ayar stated that the IECI "took a historic decision to allow Iraqis outside Iraq to participate in the electoral process".³² However, officials have limited the right to vote to only those living in countries with large Iraqi communities and did not say how the process would work.

❖ Monitoring:

- The UN has recently stated that they are not sending in UN election monitors into Iraq. However, international monitoring of the election is crucial for the outcome to be declared legitimate. It is unclear whether there will be any international organisation monitoring the election.

❖ Security:

- Nearly 20 percent of the Iraqi population feel as though the elections cannot be held on time because of security concerns. There are three main concerns presented by the security situation in Iraq. First, if violence is too extreme in some areas to hold credible elections, should they still be held? Second, the lack of security could disturb election monitoring. If poll workers are unable to get the necessary training, the credibility of the outcome of the election may be questioned. Lastly, the increase in violence could deter Iraqis from going to the polls.³³

RECENT EVENTS AND IMPACT ON ELECTION

❖ Security:

- Insurgents have burned a warehouse full of voter registration forms, and election officials in Mosul have been threatened by the group led by Abu Musab al-Zarqawi. At least four officials have fled.³⁴

³⁰ Dhiya Rasan and Steve Negus, "Sadr's men to stand for election in Iraq Poll," Financial Times, 8 November 2004.

³¹ Da'awa Party, "Press Release," October 2004.

³² BBC News, "Iraqis abroad 'will get a vote,' 4 November 2004
<http://news.bbc.co.uk/1/hi/world/middle_east/3983803.stm>

³³ IRI, "Survey of Iraqi Public Opinion," October 2004. <<http://www.iri.org/pdfs/IraqSept-OctPublicOpinion.ppt>>

³⁴ Michael Howard, "US General sounds election warning" Guardian Unlimited, 23 November 2004.
<<http://www.guardian.co.uk/Iraq/Story/0,2763,1357231,00.html>>

- Owners of the grocery stores (food distribution centres), where families pick up their voter registration cards when collecting their food rations, have been threatened not to distribute the registration cards.
- ❖ Election News
 - On 22 November 2004, the UN Secretary General, Kofi Annan, and world leaders ended a conference about the future of Iraq by declaring their support for the elections in Iraq. Conference participants, including the Arab League, the Organization of the Islamic Conference, the G8 nations, and China, signed a joint resolution calling for international support for elections and reconstruction in Iraq.³⁵
 - On 22 November 2004, the CEO of the IECI, Adil Allami, announced that while the security situation is difficult, the date for the election is set for 30 January 2004, and he hopes that there will be no change.³⁶
 - There is a dispute between political parties and organisations as to whether the elections should be postponed or not. Shia parties are keen on holding the elections in January. The Sunni parties are supporting a petition that calls for a six-month postponement of the elections.³⁷
 - If the election is delayed, there will a question of whether this would encourage insurgents since the high levels of violence would be seen as the cause of postponement.
 - As of 22 November 2004, 162 political parties and individuals have been approved to run for the election by the commission.³⁸
 - A new concern is surfacing concerning the ballot sheets. Each ballot sheet is to list about 200 individuals or political parties, each with a name and an identifying logo. However, it will be difficult and possibly confusing to fit all of the options on one ballot sheet.³⁹
 - Voters are still being registered, even though some registration centres are closed because of attacks.⁴⁰
 - There are also talks of a Sunni boycott of the election. This raises the question of whether the election will still be considered valid if Iraqi Sunnis do not vote.⁴¹

By Laura Zuber
CAABU Volunteer

IRAQ NEWS LINKS:

³⁵ BBC News, "World leaders back Iraqi elections," 23 November 2004.
<http://news.bbc.co.uk/1/hi/world/middle_east/4035625.stm>

³⁶ Roy McCarthy, "Iraq vote to be held in 10 weeks," Guardian Unlimited, 22 November 2004.
<<http://www.guardian.co.uk/Iraq/Story/0,2763,1356712,00.html>>

³⁷ Rory McCarthy and Patrick Wintour, "Shias insist on January poll in Iraq," Guardian Unlimited, 29 November 2004. <<http://www.guardian.co.uk/Iraq/Story/0,2763,1361628,00.html>>

³⁸ Roy McCarthy, "Iraq vote to be held in 10 weeks," Guardian Unlimited, 22 November 2004.
<<http://www.guardian.co.uk/Iraq/Story/0,2763,1356712,00.html>>

³⁹ Walter Pincus and Anthony Shadid, "Iraq faces hurdles on details of election," Washington Post, 30 November 2004. <<http://www.washingtonpost.com/wp-dyn/articles/A20660-2004Nov29.html>>

⁴⁰ BBC News, "Iraqis push ahead with elections," 21 November 2004.
<http://news.bbc.co.uk/1/hi/world/middle_east/4030323.stm>

⁴¹ Rory McCarthy and Patrick Wintour, "Shias insist on January poll in Iraq," Guardian Unlimited, 29 November 2004. <<http://www.guardian.co.uk/Iraq/Story/0,2763,1361628,00.html>>

1. BBC News: Iraq Elections at a Glance - http://news.bbc.co.uk/1/hi/world/middle_east/4033263.stm
2. BBC News: Iraq in Transition - http://news.bbc.co.uk/1/hi/in_depth/middle_east/2002/conflict_with_iraq/default.stm
3. UN News Centre on the Situation in Iraq - <http://www.un.org/apps/news/infocusRel.asp?infocusID=50&Body=Iraq&Body1=inspect>
4. CNN News: Special Report: Inside Iraq - <http://edition.cnn.com/SPECIALS/2004/struggle.iraq/transition/index.html>
5. Al Jazeera: Special Report: The Changing Face of Iraq - <http://english.aljazeera.net/NR/exeres/E796CA4D-03EB-4D2D-99CD-5C29D295B520.htm>
6. Washington Times: World-Iraq - <http://www.washingtonpost.com/wp-dyn/world/mideast/gulf/iraq/>
7. Council on Foreign Relations, Iraq Resource Centre - http://www.cfr.org/reg_index.php?id=6|35|1
8. IRI Public Opinion Poll in Iraq October 2004 - <http://www.iri.org/pdfs/IraqSept-OctPublicOpinion.ppt>

Appendix:

A. List of 18 governorates in Iraq:⁴²

1. Al Anbar
2. Al Basrah
3. Al Muthanna
4. Al Qadisiyah
5. An Najaf
6. Arbil
7. As Sulaymaniyah
8. At Ta'mim
9. Babil
10. Baghdad
11. Dahuk
12. Dhi Qar
13. Diyala
14. Karbala'
15. Maysan
16. Ninawa
17. Salah ad Din
18. Wasit

See Iraq Map in Adobe files⁴³

B. Hare or Simple Quota: ⁴⁴

Total number of Valid Ballots

Number of Vacancies

C. IECI Members: ⁴⁵

Seven members are Iraqi citizens eligible to vote in the 2005 election:

1. Ibrahim Ali Ali
2. Abdelhussein Yaqoub Aziz Al-Hindawi
3. Hmdia Abbas Muhamad Al-Hussaini
4. Souad Mohammed Jalal Shalal Al-Jabouri
5. Izdin Mohammed Shafiq Al-Mohammdy
6. Farid Ayar Mikhail Ayar
7. Mustafa Safwat Rashid Ghafour Sidqi.

The two remaining members are not able to vote in the upcoming election:

1. Adil Mohammed Alwan Allami, the CEO of IECI and also an Iraqi citizen
2. Carlos Valenzuela, an UN elections expert.

⁴² CIA, "The World Factbook – Iraq," 5 October 2004,

<<http://www.cia.gov/cia/publications/factbook/geos/iz.html#Govt>>

⁴³ Humanitarian Information Centre for Iraq, "Reference Maps – Iraq Governorates," 2004,

<<http://www.hiciraq.org/mapcentre/geographic/reference/index.asp>>

⁴⁴ Accurate Democracy, "Seats and Quotas," 2004, <http://accuratedemocracy.com/e_shares.htm>

⁴⁵ Council for Foreign Relations, "Iraq: Election Plan," 27 Sept 2004

<http://www.cfr.org/background/background_iraq_electionplan.php>