SHAMS NETWORK REPORT ON MONITORING PARLIAMENTARY ELECTIONS

ELECTORAL SECURITY

REPUBLIC OF IRAQ - 2021

Background on monitoring Iraq's 2021 parliamentary elections

Since 2005, Iraq has had several electoral experiments and Shams Network has played an active role in monitoring elections as one of the most prominent institutions of Iraqi civil society, and its contribution to supporting the transparency and integrity of the elections through the monitoring programs and reports it has issued in addition to its suggestions and views in the procedures of electoral processes.

For the 2021 Iraqi parliamentary elections, Shams network has prepared a programme of work to monitor the full cycle of Iraqi elections, which has been implemented by the self-efforts of the network and its member organizations.

With partial support from the French Embassy, the Dutch Embassy, Konrad-Adenauer-Stiftung and the Election Network of the Arab World (ENAR).

Shams Network, through its observer, experts and advisers, is issuing a report on the electoral process in all its stages, as a contribution from the network to raise electoral awareness, submits its report on **electoral security**.

Electoral security

There are two trends in the definition of electoral security:

First/ Special Electoral Security:

It is intended to ensure the safe access of voting materials, electoral authorities, voters, electoral campaigns and candidates.

Second/ General Electoral Security:

It is intended to provide a safe environment for the entire electoral process, including political life, public freedoms and party reality, through election law legislation, to nominations, election campaigns, voting, complaints, confirmation of results and receiving of winning members for the roles of their positions.

The second trend is more precise and broader because the elections cannot be isolated of the security situation of the country's general political and security conditions.

The Iraqi situation, with a complex security landscape, may suffer from a serious imbalance in electoral security, whether in its own sense or in general.

Any breach of electoral security aims either to absent and confiscate the will of the voter or to distort that will, freedom and a sense of security are major guarantee of the validity of the election results.

The parties responsible for destabilizing electoral security:

- Forces that reject the elections results and legitimacy.
- Competing parties (parties, candidates).
- Outlaws.
- Criminal acts against certain individuals or entities.

With regard to electoral security in Iraq's elections (10-10-2021), we can see a number of indicators of security instability, the most important of which are:

First/ The general political environment:

1- The Iraqi arena witnessed an unstable political situation embodied by large demonstrations combined with violence against demonstrators and against state institutions and ended with the resignation of Adel Abdul Mahdi government at the end of 2019, and the election law was voted on during a state of political instability and opinions were not mature and did not examine all the consequences and effects of this important national law.

2- A new law of the Independent High Electoral Commission has been introduced and the direction towards the judiciary to form the Council of Commissioners and once again the law was written and passed in haste and there was no free and professional national debate about this law and its implications in reality.

3- Many security incidents have misled the security situation, for example, the assassination of the vice president of the Popular Mobilization Authority and the commander of the Iranian Quds Corps by US missiles, missile attacks on embassies and airports, the storming of the Green Zone by armed groups to liberate one of its leaders and the assassination of Hashim al-Hashemi and other activists. In addition to other events.

Second/ Security of IHEC staff:

The Independent High Electoral Commission (IHEC) is suffering from many political and security pressures, particularly with regard to the security of working personnel (one of the employees disappeared) without knowing his fate, or job security (many of the high and middle leaderships in the commission are changed without explaining the reasons that may be political, as happened in Baghdad/Rasafa, Kirkuk and Nineveh).

In addition to unofficial threats against IHEC contract staff (5,000) out of 10,000 employees in the commission because of their protest and demands for employment rights like their peers, as well as the fear of threats or retaliation by provincial officials.

Third/ Security of voting materials:

Preparations by the Independent High Commission for early elections have seen an updated method that is revealed to be used by some political forces, namely the purchase of equipment similar to those used by the Commission for the purpose of manipulating the results and in cooperation with some former and current employees of the Electoral Commission.

This development is dangerous in the part of the security of voting materials, and identifies a breakthrough in the field of fraud and imitation of voting materials for use in electoral fraud and voter fraud.

Not to mention the traditional risks of targeting election materials before or after the voting process, as happened in 2018.

Fourth/ Security of candidates:

The candidate is the cornerstone of the electoral process, with nearly 3,500 candidates approved, but there are pressures targeting the candidate's security, perhaps the most important of which are:

Threatening candidates or their staff with direct violence. Many candidates, particularly in Baghdad, Salah al-Din, Anbar and Diyala, have been directly threatened with assassination, actual attack on their electoral team or office managers, or the shooting of candidates, as happened in the Alkadhmiya area and elsewhere.

In this election, a new type of (threat) emerged of the candidate by excluding through legal means but without sufficient guarantees to object, and this happened with nearly (200) candidates who were excluded by the Accountability and Justice Commission and after receiving decisions to return they were excluded again by the electoral judiciary in a dangerous precedent after the Deputy chairman of the parliament of the Sadrist Bloc (Hassan al-Kaabi) submitted a decision challenging their candidacy.

Exclusion is the result of actions understood to be criticism of the judiciary, and this is what happened with the candidate (Mohammed al-Ameri) for example after criticism of judicial practices, and the decision was issued by the Board of Commissioners.

The right to stand for election was threatened by some political forces, which prevented their supporters from running except through the competent committee and prevented them from running as independents through direct and public threats.

Fifth/ Campaign security:

In this electoral experience, electoral campaigns have faced many difficulties, the most important of which is the use of tearing up posters, electoral banners and campaign materials by competitors, and a new case has emerged: shredding or preventing electoral campaign by (demonstrators) or those close to protest movements.

In addition to hacking candidates' web pages and publishing what offends the candidate.

Sixth/ Polling Day Security:

Many concerned remain skeptical about the security to be achieved on polling day, and in the 2018 experience, voters have been subjected to pressure and intimidation in some areas, either to force them to vote for a particular list or not to participate in the elections, and so far the government or the Commission have not provided real vision of the public security process that accompanies the voting process except with previous traditional plans that have not succeeded in previous years, in addition to the issue of the security of voting staff (one day staff) and the extent to which they are subjected to political pressures and personal threats.

Seventh/ Security of the Results:

The Independent High Electoral Commission has provided assurances about the security of the results and that there is a German international company that is conducting the inspection, counting and manual enumeration of one of the stations and other means, but so far there are fears of attempts to electronic manipulation and fraud, whether from international parties or Iraqi forces to manipulate the results of the elections.

Eighth/ Security after the announcement of the results:

Perhaps one of the most important security challenges facing the electoral process is the process of accepting the results, especially since changing the electoral system will make it difficult to predict the number of seats each entity will receive, which increases the percentages of doubt and the party or candidate tends to describe results as forgery, especially from political forces that have supporters and weapon and big media status.

Government and electoral security

In May 2021, the Iraqi government launched a major campaign to secure the parliamentary elections in several stages, following a series of assassinations of activists in mass protests, members of electoral alliances, during the past period The campaign came in accordance with a plan prepared in advance to provide protection for the election process.

The campaign spans more than four months and aims in its early stages to divide areas according to their significance, full survey of potential threats, develop plans to address them, intensify intelligence efforts, cooperate with new informants in monitored areas, as well as the cyber security and the great importance this represents.

"The High Security Committee oversees the election process, and security plans have been drawn up in order to ensure protection in every detail of the elections, whether it be electoral centers, voters, candidates, logistics centers or roads leading to centers, as well as headquarters and others.

"All of these centers are secured in Iraq in the form of circles from inside and outside, and there is also an external line to prevent indirect weapons, referring to the weapon of armed factions deployed in several areas of the country.

The High Security Electoral Commission has set up a free hotline to receive complaints of electoral violence.

"The commission has allocated a free hotline (5669) to receive electoral security complaints, and calls on citizens, candidates and all bodies and organizations to contact this number in the event of issues and situations that threaten the security of elections,

candidates and security violations, "a spokesman for the High Security Election Commission said.

"The commission will deal with all information within the international contexts and standards set out by the United Nations and within the standards set by the Constitution and Iraqi law, which ensure that free, fair and impartial elections are held on time," he said.

To complement the measures taken by the high security committee for the elections, which aim to make the democratic process successful, and in order to protect the safety of candidates for the upcoming elections and secure their homes and workplaces, the high security committee issued its orders to the relevant security services, paving the way for the establishment of sub-committees in all governorates to follow up on the candidates and prepare a full location. their names, addresses and other details; With the aim of consulting with them to reach the best ways that secure their safety in terms of security.

"The directives included the importance of protecting the electoral gatherings and celebrations of candidates after coordinating with the chairman of the security subcommittee in each province," he said.

The deputy commander of joint operations and chairman of the Iraqi High Electoral Commission, Lt. Gen. Abdul Amir al-Shammari, confirmed that security forces will impose full security in the elections. There are special forces to protect the ballot boxes after the completion of the electoral process, he said, adding that the security forces' starts` at the entrance to the electoral center, explaining that the forces are not entitled to enter the center except at the request of the manager of the center.

The security problem in Iraq and the integration of armed movements

The security problem in Iraq has a number of reasons and can be summarized in the following points:

1- The nature of political change in 2003: After the American invasion and the overthrow of the regime and the initiation of a new political process and an attempt to enter the democratic transition, major problems emerged, the first of which was the challenge of removing the legacy of the dictatorial regime, but the first decisions to dissolve the former army provided an opportunity for sub-identities and the emergence of armed groups that took advantage of the absence of the state to replace them, which resulted in a great chaos in all the joints of the state and even the creation of the new army was quick, which generated difficulties in fortifying this structure, whose effects still exist.

2- Sectarian divisions: The parliamentary system is considered one of the finest systems in place in the world, but its experience in Iraq was marred by a lot and the reason lies in the newness of experience and incorrect construction, by turning the political process into quotas divided on the basis of sect, nationalism and doctrine and incompetence in those names, a negative indicator that generated deep effects, mainly corruption in various joints of the state and the most dangerous thing is the inclusion of the military institution and positions of importance in these quotas, which constitutes deep effects on the various joints of the state and dangerous for the security of the state in general.

3- Weak intelligence effort: Despite the presence of more than one million security personnel in various types and the presence of elite forces and strike force and rapid intervention in addition to the Popular Mobilization Authority, which has practiced its forces to fight terrorism, security breaches still exist because of the weakness of the intelligence factor, which is an indicator from the beginning of the formation of security forces until today, the problem is that the conventional plans are not successful since the enemy is not conventional, because the large number or mis-arming or weak handling of the information led to vast security problems. The intelligence effort is the basis of security work with the development of the means and tools of the enemy, armed and terrorist groups and crime bands should be matched by a vast technical development of intelligence and information

detection of operations before they are carried out and reach perpetrators as soon as possible.

4- Armed groups: Armed groups in Iraq are diverse and several and sometimes difficult to differentiate between them, the most difficult of which is the presence of armed groups outside the law, many of which belong to political parties and movements and take shelter under several names, some of which are deviating from their stated goal and have been involved in acts of violence, including political and economic, and some have even become representative and governmental officials. These groups and under any name pose a major threat to security, community peace and even political stability, which is one of the most important security problems faced by successive governments.

5- Tribal weapons: The clan is a pillar of society and enjoys inherited customs and traditions and is one of the most important social structures and a fundamental pillar in Iraqi society and has many roles, whether in resisting colonialism in its successive stages or fighting unjust governments or achieving social solidarity or solving problems among individuals, but the seriousness of the issue lies in the contradiction between the clan and the state when the state strengthens, the clan weaken and vice versa or when the state exploits the clan to extend its influence. After 2003, the strength of the clans increased politically, militarily, socially and culturally, and the problem of clan conflicts became one of the most important security challenges and hundreds of victims occur annually as a result of these conflicts, as well as the threat to state institutions or companies, which leads to economic loss, security decline and cultural violations, and some reports indicate that some clans possess heavy and medium weapons and possibly similar to the weapons of the state security forces.

Recommendations:

1- The government should activate the intelligence effort, hold the ground and control the security situation. It also should focus on areas controlled by political forces or armed groups. In addition to effective plans to protect candidates, electoral campaign and voting materials.

2- It is the responsibility of the Commission to convince the public and the partners of the electoral process of the validity of its technical procedures, the accuracy of the steps taken to count the votes and the impartiality of the electoral decision and the promotion of a document of honor signed by political parties and candidates.

3- The parties and candidates participating have to agree that 90 percent of the candidates will lose in this election. Questioning, threatening, using violence or rejecting the results is a ready recipe for taking Iraq into the unknown.

4- International supporters of the electoral process should contribute with the Iraqi government and the Independent High Electoral Commission to address the security implications of the Iraqi parliament elections.

5- Excluding the security forces from quotas or engaging them in political and electoral competition, and the parties must agree to exclude all security forces, the popular mobilization forces and the Peshmerga from political and sectarian quotas due to the sensitivity of the situation.

6- Activating the Parties Law by forbidding parties to possess military and armed forces or to use political and military influence in determining the competition in the elections.

7- Seizing and confiscating the weapons of the clans and activating the accountability of those who use weapons in the electoral competition.

8- Prevent external armed interference in elections and not to use it for political purposes.

9- Solving the problems between the federal government and the KRG, there are security problems between the center and the region, especially with regard to Article 140 and the limits of military spread, which is a topic that raises security concerns and is vulnerable to explosion at any moment, and the majority of the population live in these areas are of minorities (Yazidi, Christian, Kaakais, Al-Shabak, Faili Kurds and Turkmen) so the constitution and political consensus must be invoked to end This dossier.