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Written statement* submitted by The Next Century Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2020]

* Issued as received, in the language(s) of submission only.

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The urgent need for free and fair elections in Iraq

In light of the political instability that has been tormenting Iraq for years, and of the protests that bring into question the faith that the people of Iraq have in their elected representatives, The Next Century Foundation believes it necessary to secure a political environment in Iraq which will enable reforms to take place.

The Next Century Foundation endorses the statement of the United Nations Assistance Mission for Iraq (UNAMI) on 31 July 2020, welcoming the call by the Prime Minister of Iraq, Mustafa Al-Khadimi, for early elections to take place on 6 June 2021.

The Next Century Foundation notes both:

- (1) That organising elections on the proposed date would bring the prospect of much needed reforms closer.
- (2) That the scheduled date of elections allows adequate time for the relevant bodies to enact necessary legislative changes and to appropriately prepare the electoral process, as per the statement of the Board of Commissioners of the Independent High Electoral Commission in Iraq (IHEC) on 1 August 2020.

In accordance with the above, The Next Century Foundation urges the elected representatives of Iraq to take all necessary action to follow the guidance of IHEC with regard to the essential steps and procedures preceding the formal announcement of the elections for 6 June 2021. The steps include the government asking for dissolution of parliament, in a vote by the parliament, on or shortly after 6 April 2021. As a precursor to which the Next Century Foundation appeals to the political parties of Iraq to respond urgently to the call by Parliament Speaker Mohamed al-Halbousi, for “holding a parliamentary session with the presence of the President, the PM and political parties”. This is because Iraq’s Parliament has failed to complete a key component of the new election law that passed on 24 December 2019 — the mechanism for setting the constituencies. In frequent debates over the last eight months, members of parliament have proposed small constituencies consisting of 4-5 seats rather than a single seat. The proposed reform aims to allow medium size parties a better chance of passing the electoral threshold.

The new election law effectively dismantled the Independent High Electoral Commission (IHEC), removing the 29 director generals from office and leaving the Commission without a budget. Despite the assurance of the new government, the IHEC has received no funds, as of 14 August 2020.

The Next Century Foundation recommends to the Government of Iraq that it cooperates closely with IHEC on all matters related to the elections, and notes that the provision of additional funding by the Government to the Commission will be necessary to ensure its proper operation with regard to conducting and supervising the elections.

Call for independent oversight of the elections

Satisfied that Iraq’s administrative and legislative bodies shall take all necessary action to ensure that the elections become officially scheduled to take place on 6 June 2021, noting that the overall situation in Iraq may impede a safe and legitimate electoral process, the Next Century Foundation appeals to the international community to do all it can to promote independent and comprehensive observation of Iraq’s forthcoming elections.

The Next Century Foundation calls attention to point four of the statement of the Board of Commissioners of the Independent High Electoral Commission in Iraq (IHEC) of 1 August 2020, which reads that electoral assistance and observation by the United Nations and other specialist international organisations will be necessary to ensure that the elections are run in a free, transparent and fair way, and that their results truly represent the will of Iraq’s people.

Several leaders including both the President of Iraq and Muqtada al-Sadr have requested international electoral supervision to “prevent fraud and fiddling with results,” and others agree that international observers and oversight from the UN Assistance Mission for Iraq (UNAMI) are crucial to fair elections. In light of the UN Security Council Resolution 2522

(2020) which mandates both the United Nations Assistance Mission for Iraq (UNAMI) and the Special Representative of the Secretary-General for Iraq to provide electoral assistance to the Government of Iraq and IHEC, and with regard to the above-mentioned requests, the Next Century Foundation calls on the relevant UN bodies to provide comprehensive support for Iraq's next elections, notwithstanding whether they take place on 6 June 2021, as proposed, or later. We recognise that UNAMI will not as a general rule conduct election observation outside the Green Zone and the Kurdistan Region. But we hope that other international bodies and non-governmental organisations (NGOs) will step up to the mark, and that Iraq's own able and excellent independent NGOs also be permitted, and indeed encouraged, to observe the elections where the UN is unable or unwilling to do so. This oversight must not be limited to central regions of Iraq, and should be carried out throughout the whole territory of the Republic. We especially urge UNAMI not to impede or discourage voting in the disputed territories as it has sometimes done in the past.

The Next Century Foundation, as an organisation with a long history of election monitoring in Iraq, calls on other specialist non-governmental and intergovernmental organisations to support the efforts of IHEC and the UN by providing election observers both in agreement with IHEC.

Finally, the Next Century Foundation notes that conducting fair elections which would guarantee Iraq's citizens their right to self-determination may be hampered by the presence of foreign forces or armed groups backed by foreign governments on the territory of Iraq. Therefore, the Next Century Foundations calls all governments to withdraw the forces officially or unofficially associated with them from the territory of Iraq.

The Next Century Foundation calls on Iraq's political parties to put their own self-interest aside and to strive for the common good. Moves to support an early election must be allowed to gather momentum.
