



General Assembly

Distr.: General
16 September 2021

English only

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

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 2021]

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



Iraq's Elections Must Go Ahead

Since the fall of Saddam Hussein's government in 2003, Iraq has been plagued by violence, corruption, unemployment, and dismal public services. Thus, after a brief hiatus due to the Covid-19 pandemic, public protests have reignited in response to targeted killings, hospital fires and power cuts. Early parliamentary elections, the first since the new electoral law was passed, are vital.

Significant challenges remain: fraud and violence against voters, evidenced in the 2018 elections will undoubtedly remerge to some degree in the 10th October elections. Yet, the Next Century Foundation (NCF) calls for the elections to go ahead as scheduled because:

- 1) Postponing the elections would have no tangible benefits – only a long-term institutional and environmental change would be able to eradicate fraud and voter insecurity completely.
- 2) Postponing the elections would bring additional risks – a second postponement, which would likely result in a full term of office for the current government, undermines the promise of early elections and alienates voters.

The NCF believes the 10th October elections can be a success if the following issues are addressed and international support is strong. If Iraq can bolster the confidence of its citizens, the political class and the public could unite in trusting the process and the result of the elections.

Biometric Voting

To inspire confidence, the Independent High Electoral Commission in Iraq (IHEC) must ensure:

- 1) All eligible voters possess the biometric voting cards they need to vote by 10th October.
- 2) Manual checks are enforced at all polling centres.
- 3) A full initial audit of voting technology is made publicly available before the end of September. A further audit of the actual technology as utilised is made publicly available within ten days of the vote i.e. on or before Sunday 17th October.

The United Nations Assistance Mission for Iraq (UNAMI) should take a far more proactive role in supporting this effort than has been the case in the past, where the absence of their serious support and participation much beyond the Green Zone has been lamentable.

Reported registration issues earlier this year meant that IHEC missed initial deadlines for registering voters, and now could potentially miss completion of registration prior to the 10th October date. As noted by the Next Century Foundation, in previous elections, large numbers have been unable to vote because their names were not on the register. This problem has been exacerbated this time because many voters have still not received cards. Many citizens living outside Iraq will inevitably also be excluded from voting. President Barham Salih suggested that those with older, non-biometric voter cards might not be allowed to vote; one concern being that old cards might be used to vote more than once. NCF sources have suggested that electronic cards are currently being bought and sold in online markets. If so, the use of fingerprint voting technology should ensure that a fraudulent second vote cannot be cast effectively.

The penetrability of the biometric voting technology is however a concern. The Next Century Foundation has described electoral fraud as widespread in previous elections. In 2018, this was only discovered via manual counts which revealed multiple discrepancies as well as duplicate ballots. There were also issues surrounding the transfer of polling data, with IHEC member Saad Kakeyi reporting discrepancies between the results at the station and the results reported in Baghdad. This is alongside more manual fraud, which was witnessed by NCF election monitors, including the destruction of ballot boxes. We welcome updated fraud

procedures which require a manual count at one polling station at every polling centre. The new electoral law states that if these results differ by more than 5%, then all polling stations in that centre will be recounted by hand. We strongly encourage IHEC to commit to further manual counts to encourage confidence in Iraq's public. There is absolutely no reason that a manual count should not be held at every polling station to ensure complete transparency. If fingerprint technology is abandoned due to Covid-19 concerns as it was in Brazil in 2020, it is even more important that manual counts take place.

Miru Systems Co., the company responsible for providing the voting equipment, has been linked to disturbing electoral contestation in the Democratic Republic of the Congo and moreover, their technology was partially blamed for Iraq's contested 2018 elections. The NCF thus welcomes Iraq's prudence in auditing the results management IT system using the firm Hensoldt. The audit was described as ongoing by the United Nations Assistance Mission for Iraq (UNAMI) on 2nd July, and Hensoldt has submitted two reports which collectively detail 42 findings and corresponding recommendations. It is promising that IHEC, Miru, UNAMI and Hensoldt are meeting regularly to discuss progress with regards to these findings, however the NCF would like to see these results made publicly available now to ensure full transparency and voter confidence. There is no justifiable reason for this not to be done.

Public and Party Participation

The number of registered voters in Iraq currently stands at 25,226,400 out of a population of over 41 million according to 2021 UN projections. Of these there are 24,029,931 regular voters who will vote on election day, and 1,076,345 so-called special voters (those on duty on election day such as police officers and members of the military) who will vote on the 8th October. Also registered are a mere 120,124 Internally Displaced Person (IDP) voters, who will have specific polling facilities. Yet despite the high number of registrations, the NCF is concerned that turnout will be even lower than in 2018, when 44.5% of those eligible voted, the lowest turnout in Iraq's history.

Those attending public protests have declared there will be a boycott of the upcoming elections due to the ongoing targeting of activists as well as numerous public service issues. In Karbala, following the assassination of prominent activist Ihab Al-Wazni, protestors described an unsafe environment as well as a failure to bring anyone to justice for the deaths of 600 demonstrators and 35 activists since October 2019 as being reasons for an election boycott. Some political parties have also announced they will not participate in the election: the Sadrist movement, the Communist Party, the Iraqi National House, the Iraqi Platform, and the National Dialogue Front have all described concerns relating to fraud and violence. We urge all boycotting parties, the Sadrist movement in particular, to reverse their decision. It is positive to hear from the Prime Minister of Iraq's Advisor for Election Affairs, Hussein al-Hindawi, that the Prime Minister, President and speaker of the parliament re-confirmed their commitment to holding elections on 10th October.

The NCF recommends that IHEC urgently engender confidence in the election. Root causes of both boycotts amount to an unsafe and untrustworthy security environment, specifically the influence of armed groups at polling centres. In 2018, there was intimidation at polling centres in a number of regions of Iraq, especially of IDPs who have little legal protection. The NCF are increasingly concerned that local armed groups will create a hostile environment for voters, discouraging turnout and skewing voting towards their preferred candidate. We strongly encourage the Iraq government to ensure that polling centres are free from outside interference and that all voters and candidates, especially IDPs, are protected from coercion. Increased security would increase voter participation. But increased security does not mean members of the armed forces should be present within the polling stations themselves – a practice noted extensively in North Baghdad in previous elections, which intimidates voters.

International Support and Oversight

In light of these challenges, we welcome the support offered by multiple countries to aid Iraq during the election period, including Japanese funding to support IHEC, and French and German funding to support the deployment of UN election monitors. We appreciate the Security Council's offer of electoral advice, support, and technical assistance (Resolution 2576).

However, we recognise that most UN assistance extends only to Green Zone areas and therefore much more international support is required. According to UNAMI, only 10 embassies have so far responded to IHEC's invitation to observe the elections and only two of those have submitted the correct documentation. The NCF calls for more international oversight to ensure the elections run as planned. We thank the many International NGOs and local NGOs who intend to monitor the elections and encourage others to do so.

The NCF believes that, given the suggested measures are implemented, the 2021 elections can go ahead without major fraud or violence. The measures will inspire confidence in the public, political parties and the broader international community, and will be especially important given that the elections occur on the eve of the second anniversary of the October 2019 protests. The integrity of the democratic process must be upheld to ensure the success of future elections and governments.
