



United Nations Assistance Mission for Iraq (UNAMI)
بعثة الأمم المتحدة لمساعدة العراق (يونامي)

Iraq's Electoral Preparations and Processes - Report No. 7
Baghdad, 9 April 2021

Iraq's Electoral Preparations and Processes*
Report No. 7

Highlights for March

- IHEC approved the polling and counting procedures for regular and special voting.
- IHEC decides anew on the audit company selected for examining the devices and software for election results management.
- IHEC extends the voter registration update period for another 15 days, biometric registration coverage is at 63.24%.
- Candidate nomination and coalition registration process ongoing, IHEC prepares the design of ballot papers.
- Federal Supreme Court Law amended, enabling the appointment of new judges to the Court.
- The Council of Representatives voted to dissolve itself by 7 October 2021.
- IHEC decided not to hold out of country voting on technical, legal, financial and health grounds.
- Meetings to discuss preparations for IHEC public outreach and media campaigns.

Polling and Counting Procedures

As part of ongoing technical preparations for the elections, the IHEC Board of Commissioners (BoC) approved the polling and counting procedures to be used for the 2021 Council of Representatives elections. These include the procedures for (1) regular voting that will take place on 10 October 2021 and (2) the special voting for security forces which will take place on 8 October 2021.

In relation to this, IHEC has also approved the plan for the training of polling and counting staff using the cascade training of trainers' methodology. The training will cover the use of electronic devices during polling and counting, the training on regular polling and counting procedures and the training on special voting procedures.

Audit of the Results Management IT System

In its weekly statement issued on 17 March, IHEC announced that it had selected an audit company to examine devices and software for its election results management system (RMS). IHEC stated that, in accordance with the law and further to the recommendations of the committees established for this purpose, it had decided to award the audit contract to Price Waterhouse Coopers (PWC). It added that

* This report, the seventh in a series, is prepared pursuant to UN Security Council Resolution 2522 (May 2020). In extending UNAMI's mandate, the Council instructs that the Special Representative of the Secretary General and UNAMI shall: "further advise, assist and support the Government of Iraq and the Independent High Electoral Commission with efforts to plan and execute genuinely free and fair Iraqi-led, Iraqi-owned elections and referenda, including through regular technical reviews and detailed reporting on electoral preparations and processes, as part of the Secretary-General's regular reporting cycle".



United Nations Assistance Mission for Iraq (UNAMI)
بعثة الأمم المتحدة لمساعدة العراق (يونامي)

Iraq's Electoral Preparations and Processes - Report No. 7
Baghdad, 9 April 2021

PWC was among a list of companies “nominated” (sic) by UNAMI for the audit. UNAMI, however, clarified to IHEC that, while it shared with IHEC an extensive list of international companies with recognized IT audit experience, UNAMI is not in a position to recommend or nominate any of these companies: it is IHEC’s responsibility to follow up and make the decision in accordance with established Iraqi procurement procedures.

Following the issuance of the decision, IHEC received feedback from several senior Iraqi leaders and representatives of political blocs asking for clarification on the selection and expressing doubts about the link of PWC Iraq to the parent PWC Company in the UK. In response, IHEC asked PWC Iraq to show concrete proof of their link with the parent PWC Company.

On 30 March, the IHEC BoC decided, in a reversal of its earlier decision, not to award the contract to PWC on the grounds that the company representing PWC in Iraq is not an internationally accredited company and that it provided false information in contravention of Iraqi procurement rules. IHEC decided instead to pursue negotiations with the second-placed company, Hensoldt, based in Germany.

While UNAMI is not in a position to judge IHEC’s decision and its reversal, UNAMI continues to remind IHEC and others of the importance of IHEC’s credibility as an independent body. UNAMI made clear that the final decision on the selection of the company rests with IHEC, who will be accountable for the decision.

Voter Registration Update

IHEC announced the further extension of the voter registration update (VRU) period until 15 April. It had been scheduled to end on 31 March, after already being extended once in January 2021.

As of 28 March, a total of 1,758,343 individuals visited IHEC’s 1,079 voter registration centres (VRCs) to verify and/or update their records. This data is for the period since the VRU started on 2 January 2021. IHEC also recorded a total of 23,738 IDPs registering during the period. Prior to this, there were 96,635 IDPs that IHEC registered until October 2019.

In terms of biometric voter registration, there are now 15,897,612 eligible voters who have come for biometric registration out of a total of 25,139,375 or 63.24% of the total. On the other hand, 13,529,798 voter cards have been distributed.

Candidates and Coalition Registration

The number of candidate registrations remains low, with around two weeks remaining before the deadline. A similar trend was seen in previous elections when candidates, political parties and coalitions waited until very close to the deadline before they submitted their nomination papers.

As of 1 April, only 227 candidates had submitted their nomination papers to IHEC. Of these, only 34 are women candidates. There are 5 candidates seeking to contest the Yazidi reserved seat, 5 for the Fayli



United Nations Assistance Mission for Iraq (UNAMI)
بعثة الأمم المتحدة لمساعدة العراق (يونامي)

Iraq's Electoral Preparations and Processes - Report No. 7
Baghdad, 9 April 2021

Kurds and 5 for the Sabean Mandeian component. Also, of the total candidacies submitted so far, 193 have registered as independent candidates while 34 are with political party affiliation.

Five coalitions have registered, with a further 10 applications still in process. There were 25 coalitions registered for the 2018 Council of Representatives (CoR) elections. The number of accredited political parties increased by 1 during the reporting period, and now stands at 250, while 64 applications are still in process.

Federal Supreme Court Law

On 18 March, the CoR voted on the amendments to the Federal Supreme Court (FSC) Law (Oder No. 30 of 2005) instead of endorsing a completely new FSC legislation. The articles amended provide for the appointment of new judges to the Court (9 members and 4 additional judges as alternates). These new FSC judges have now been named and will assume their functions upon the issuance of the Presidential Decree on their appointment.

This development has addressed the issue of quorum and the functioning of the Federal Supreme Court which plays a key role in elections, as assigned by the Constitution, with the authority to certify the election results for membership in the Council of Representatives.

Dissolution of the Parliament

On 31 March, the Council of Representatives voted on a decision to dissolve itself by 7 October 2021, provided that the Council of Representatives election takes place on 10 October 2021. The vote is based on a request submitted by 172 CoR members.

Article 64 of Iraq's Constitution states that "The Council of Representatives may be dissolved by an absolute majority of the number of its members, or upon the request of one-third of its members by the Prime Minister with the consent of the President of the Republic. The Council shall not be dissolved during the period in which the Prime Minister is being questioned".

Cancellation of Out of Country Voting

On 22 March, the IHEC Board of Commissioners decided not to hold the out of country voting (OCV) process for the 2021 Council of Representatives elections. IHEC cited as technical reason the lack of time remaining for it to organize the biometric registration of Iraqi voters living abroad, as required by law. It also noted their inability to secure approval from the Ministry of Foreign Affairs to hold the registration and voting in Iraqi embassies and consulates. In addition, IHEC cited difficulty in setting up the financial accounts subject to the regulations of the host countries and the legal and jurisdictional implications concerning electoral violations that may occur. Finally, IHEC mentioned the implications of the ongoing pandemic restrictions that limit the ability of IHEC staff to undertake their tasks abroad. According to IHEC, these are "obstacles to implement the Out of Country Vote and pose as a force



United Nations Assistance Mission for Iraq (UNAMI)
بعثة الأمم المتحدة لمساعدة العراق (يونامي)

Iraq's Electoral Preparations and Processes - Report No. 7
Baghdad, 9 April 2021

majeure that prevents OCV from being properly conducted". UNAMI, in the past few months, provided advisories to IHEC encouraging timely preparations for conducting the OCV process.

The IHEC announcement garnered mixed reactions from members of parliament and heads of political blocs. Critics stated that it is an unconstitutional and undemocratic decision that deprives Iraqis of their right to vote. An MP from one of the components also highlighted that minority communities will suffer the most, given their large representation in the Iraqi diaspora.

IHEC's response is that their decision is appealable to the Electoral Judicial Panel (EJP), in line with the provisions of the law. To date, however, no appeal has yet been submitted on the matter to EJP. There is already a Federal Supreme Court Decision of 21 June 2018 ruling that "the annulment of the OCV total results is illegal if it is not based on legal evidence and investigation". This precedent may come into consideration if an appeal is submitted to the EJP.

Public Outreach Activities

As mentioned in the previous report, there is a pressing need for IHEC to further intensify its voter education and public outreach activities. Not only to address the low level of electoral participation and voter turnout, but also the inadequate information being shared with the public at large on the new electoral system and the overall electoral process itself.

On 30 March, UN electoral advisers met with their IHEC public outreach counterparts to discuss the plans and preparations being made by IHEC to launch its outreach and media campaigns. IHEC interlocutors advised that due to current financial constraints, the budget for public outreach is significantly reduced, although no figures have yet been shared. As a result, the media campaign relies mostly on electronic and social media together with SMS messaging. In addition, several public outreach activities such as the production of traditional media content, printed materials and purchasing broadcast airtime are limited. In-person and direct activities and engagement of stakeholders (CSOs, political parties, media, public employees) are now also halted because of the COVID-19 pandemic. IHEC organized some 30 public outreach seminars/workshops in the recent past. While virtual arrangements could be employed to partially overcome current limitations, IHEC representatives highlighted that IT-related technical problems such as bandwidth and connectivity hinder that option. Content development, production and dissemination for traditional media have been hampered by budget limitations.

As part of the electoral support project, terms of reference and a guidance note are being prepared to launch the small grants facility for civil society organizations (CSOs) engagement in civic and voter education, capacity building for candidates and specialized training on how to counter hate speech.

Other Technical Preparations

Election Complaints and Appeals



United Nations Assistance Mission for Iraq (UNAMI)
بعثة الأمم المتحدة لمساعدة العراق (يونامي)

Iraq's Electoral Preparations and Processes - Report No. 7
Baghdad, 9 April 2021

Discussions continue with IHEC on improvements and adjustments to the electoral complaints' adjudication process. As IHEC has now approved the regulation, there are several recommendations that are under consideration to process complaints and appeals. These recommendations will be incorporated in the subsequent development of the electoral complaints and appeals procedures.

Information and Communication Technology

IHEC is seeking to address issues related to the server it uses for processing biometric voter registration. The refurbished, 6 years-old servers used to have a processing speed of up to 125,000 voter records per day, but this has since dropped to 5,000 records per day. IHEC is looking at options for either improving the servers' capacity or replacing them altogether.

In discussions with UN election IT advisers, IHEC also mentioned its desire to set up a facility to print the biometric cards in-country. Currently, the cards are printed abroad by its supplier and then transported to Iraq. IHEC also mentioned the need to assess the equipment currently in the data center and the need to come up with the manual tabulation procedures and software, given the provisions of the electoral law on manual counting of a selected polling station in each polling center.

Preparations for Ballot Lottery

IHEC has prepared draft plan to conduct the ballot lottery. This is to determine the order in which candidates will appear on the ballot papers. In the plan, manual lottery is the first option and electronic lottery the second, considered a contingency particularly given the ongoing pandemic. The plan was shared with UNAMI and has been submitted for decision by the Board of Commissioners. UNAMI earlier advised on the manual option given the importance of transparency and from a logistical perspective. A market survey is also ongoing to identify companies that can supply the required lottery machines. On 5 April, the IHEC BoC decided to adopt the manual lottery option. IHEC has requested UNAMI's help in the procurement of 83 manual lottery mechanisms.

Procurement

IHEC is preparing, in consultation with UN electoral procurement and UN graphic design advisors, the specifications for the ballot papers and results forms. IHEC is also engaging with its supplier for voter identification software development.

IHEC's Procurement Department is also preparing the necessary contract documents for the selected company to undertake the audit of the devices and software for the results management system.

COVID-19 countermeasures

Following earlier discussions on the subject, IHEC has now decided to activate the "Committee for the Implementation of COVID-19 Safety & Prevention Measures". A detailed action plan and next steps are



United Nations Assistance Mission for Iraq (UNAMI)
بعثة الأمم المتحدة لمساعدة العراق (يونامي)

Iraq's Electoral Preparations and Processes - Report No. 7
Baghdad, 9 April 2021

being discussed to promote the safety of election workers and voters and to incorporate COVID-19 prevention in electoral processes.

Invitations for international observation

IHEC is following up on the invitation for embassies and international organizations to send electoral observers for the 10 October 2021 elections. A total of 75 entities are on the mailing list, including 54 embassies and 21 international organizations. The procedures for the submission of requests for accreditation as international observers has been posted on the IHEC website. IHEC also has prepared the application forms required to be filled up and submitted for the purpose.

Election Security

The Election Supreme Security Committee continued to meet regularly to plan and coordinate security arrangements for the elections. On 30 March, the committee held another meeting at IHEC, presided by the Commander of the Iraq Joint Operations Command and attended by senior Iraqi security officials, IHEC and the Prime Minister's Adviser for Election Security. The security plan was discussed with emphasis on securing registration and polling locations, IHEC offices and storage facilities, and the movement of election staff and materials.

GEO Visits

Members of the IHEC Board of Commissioners conducted field visits to its governorate electoral offices (GEOs) to check on ongoing activities and to drum up efforts for voter registration. Similarly, UN teams of electoral advisers deployed at UN regional hubs continue to engage with their IHEC counterparts to follow up on voter registration, outreach and various other operational activities. They also inquired on the status of complaints relating to the registration process and the registration turnout for IDPs.

Note: UNAMI reminds all stakeholders that electoral preparations must remain free from political interference at all stages. This independence is essential to build public trust in the elections and their outcome.