



Enhancing the voter confidence in the Electoral Process in Iraq



The ninth report

**Long-term monitoring of the electoral process
Follow-up report on the work of the committee
formed to examine the Kirkuk voters registry**



INTRODUCTION

In continuation of the long-term monitoring process of Al-Nour Universal Foundation for the electoral process, long-term observers monitored the formation of the committee responsible for examining the voter registry in Kirkuk. According to the Governorates Law No. 12 of 2018 and its amendments.

The Al-Nour Foundation for the University continues to work on its project (Nurakib) with support from the National Democratic Institute (NDI), which aims to enhance voter confidence in the electoral process, and work to ensure the integrity, impartiality and fairness of the electoral process through conducting impartial and effective long-term monitoring in eight governorates: Anbar, Baghdad, Basra, Diyala, Kirkuk, Najaf, Nineveh, and Salah al-Din.



Kirkuk Governorate is one of the Iraqi governorates that connect central and northern Iraq and is considered one of the disputed areas.

Local elections (provincial council elections) have not been held in Kirkuk since 2005 (2009 and 2014 local elections took place in Iraq and Kirkuk was excluded from them). The Provincial Council Elections Law No. 12 of 2018 has allocated a sixth chapter in Kirkuk governorate to include it in conducting provincial council elections That was planned for 2018 and the elections for all irregular governorates in a region were postponed to April 1, 2019 and postponed until further notice once again.

1

Kirkuk Governorate / is a governorate in central and northern Iraq. It is inhabited by a mixture of Arabs, Turkmen, Assyrians, and Kurds. The city is historically and culturally historically important, the province is economically important. It is famous for oil production, as it has six oil fields, the largest of which is in the city of Kirkuk, and the oil reserve is about 13 billion barrels. North oil is exported through the North Oil Pipeline to the Turkish port of Jihan. The population of Kirkuk Governorate is 1,500,000 according to the estimates of the Iraqi Planning Ministry for 2014. The city of Kirkuk is one of the disputed areas according to Article 140 of the Iraqi constitution. It includes 4 districts (Kirkuk, Daquq, Dibs, and Hawija) and (16 sub-districts).

Provincial Council Elections Law No. 12 of 2018 stipulated in Chapter Six (a special chapter for the governorate of Kirkuk), where Article 35 of the law states the following: -

Article -35 - The elections for the Kirkuk Governorate and the Districts are held in accordance with the provisions of this law, as follows:

- 1- The (IHEC) in coordination with the relevant ministries (Interior, Trade, Planning and Health), audits the voter records before the elections
2. In case that the audit is not possible before the elections are held, the mechanism above for auditing the records shall be implemented no later than (six months) from the work commencement of the elected governorate council.
- 3- Specify a mechanism to be determined by the elected governorate council to share the highest positions in the governorate, except for federal positions, provided that priority is given to the governorate citizens in case that the legal conditions are met and guarantees the components representation .
- 4- The results of the local elections do not entail any administrative and legal procedure related to the future of Kirkuk Governorate.
- 5- One seat in the Kirkuk Governorate Council is reserved for the Christian component (the Chaldean the Syriac, the Assyrians).
- 6- The provisions of this Article shall be valid for one four-year electoral cycle.

In Law No. 14 of 2019, the first amendment of the Governorate Council Elections Law No. 12 of 2018, Article (12) was added to Article (35) by adding the two items (VII and VIII) to read as follows:

- Seventh, the (IHEC) is obligated to audit and match the voter register in the governorate of Kirkuk between the Supply card Department and ID No later than December 31, 2020 , but to delete the names that doesn't match the record , except those who have passed the procedures of the fact-finding committee formed under Article (140) of the constitution in Kirkuk Governorate are excluded.
- Eighth, the (IHEC) is obligated to take its necessary measures in accordance with the instructions in force regarding conducting manual counting and sorting of stations contested in the upcoming elections.

In order to implement the articles of the law, the Council of Ministers issued Resolution No. 276 of 2019 which contains instructions to facilitate the election procedures, as point (13) of it referred to (authoring a committee of representatives of the (IHEC) and the ministries of the Interior / Directorate of General Nationality/ Trade / Supply Card Department / Health / Births and Deaths Division, and Planning / Central Statistical Organization)

For the purpose of auditing the voter register in Kirkuk governorate, the members of the committee have a degree of no less than a year, to raises its recommendations to the relevant authorities.

After the postponement of the local elections (provincial council elections until further notice) and work to legislate a law for early elections to the House of Representatives, the projects and proposals submitted to the law have allocated special materials to

address the increase in the voter register where the text of the draft submitted by the Council of Ministers, which was read first reading in the Council Representatives on (Article 41).

First : Elections will be held in all governorates as scheduled

Second : he House of Representatives constitutes a representatives committee of House of Representative members for each governorate, and its membership from the Ministry of Planning, Interior and Trade and the IHEC with the assistance of the United Nations.

FOLLOW-UP TO THE AL-NOOR UNIVERSITY

Through the objective monitoring of events related to Kirkuk Governorate by the Al-Nour Universal Foundation, the following matters are revealed:

- * Through the follow-up to the Al-Nour Universal Foundation and in accordance with Resolution 276 of 2019, the special committee for Kirkuk Governorate has been formed, which was referred to in the decision in point (13). Checking the Kirkuk voter register and it must complete its work within 60 days. And there were absence in the commission's announcement to the electoral process partners.
- * The committee has not announced its plan and the mechanisms that it will work to accomplish its tasks, for the purpose of monitoring and monitoring by the electoral process partners.
- * The Commission has not reported on its website any information about the committee formation or the mechanism of work, and the most of the electoral process partners in Kirkuk do not know anything about it.
- * Civil society is still absent from the long-term process of observing the stages of the electoral process, as well as the monitors of political party agents.

2

Article 13 of Resolution 276 of 2019 (authoring a committee of representatives of the IHEC ministries of (Interior / General Nationality Directorate/ Trade / Supply Card Department, Health / Births and Deaths Division, and Planning / Central Statistical Organization)

The committee consists of Safa Lafta, Director General of Operations at the Commission, and Brigadier General Mustafa Muhammad, Ministry of Interior / Director of Civil Status, Passports, and Residence in Kirkuk, and Mrs. Ibtihal Hashem, Ministry of Trade / Director General of Planning and Follow-up, and Dr. Riyadh Abdel Amir, Ministry of Health and Environment / Director General of the Administrative, Financial, and Legal Department, and Mr. Qusay Abudel Fattah, Ministry of Planning / Central Statistical Organization

RECOMMENDATION

After long-term follow-up and monitoring of the Al-Nour Foundation for the electoral process, it recommends the following:

- 1- The Al-Nour Universal Foundation recommends to verify that the process of checking the voter register is an important matter for the success of the electoral process. Therefore, the formed committees should follow the highest levels of transparency and provide information to the electoral process partners.
- 2- The Al-Nour Universal Foundation emphasize the need for the committees formed to audit the voter registry in Kirkuk or other governorates to announce their plan in detail and according to a specific timetable so that the electoral process partners can monitor this.
- 3- We reiterate the necessity that the final electoral record be discreet and announced, and that all formed committees finish their work in this regard before holding any elections.

AL-NOOR UNIVERSAL FOUNDATION (NUF)

Al-Noor Universal Foundation (NUF) a non-governmental organization, local, independent, voluntary, moral lyceum in Iraq, founded in Diyala province, June 10, 2003 and works at the national level aimed at building and developing the capabilities of state institutions, civil society institutions, independent bodies and community citizens leaders in the following programs:

1. Promote rationalize governance Programs. (Building local governments to adopt a policy of rationalize governance)
2. Anti-corruption programmers (Building popular and political will to confront corruption)
3. Stability of unstable and liberated areas (safe and sustainable areas)

(Noorakib) project

NUF continues deploying a long term observation mission and its monitoring efforts of the various aspects of the pre-election period processes in the eight targeted provinces (Anbar, Baghdad, Basra, Diyala, Kirkuk, Najaf, Ninawa, and Salahaddin). NUF conducts activities planned over, these activities include:

- Strengthen civil society's capacity to effectively contribute to the legal framework reform process.
- Long Term Observation: NUF conducts its long term observation efforts through field supervisors, and long term observers
- Reform Process Monitoring: NUF tracks the progress or lack of progress on addressing recommendations by the IHEC and other key actors.
- Open Election Data Barometer: NUF works on updating the Open Election Data Barometer on the Noorakib website.