

The function of the Commission-

On the fourth of June, Karina Perelli, the head of the United Nations Electoral Team, announced in a press conference the formation of Iraq's Independent Electoral Commission. Next day, in a meeting with Miss Perelli, the board verified invitations from several countries: the USA, Australia, India and Mexico, proposing to host a training course on the electoral systems for the commissioners. At the end, it was decided to accept the invitation of IFE, the Mexican Institute for Elections.

Tight security procedures-

Throughout our journey to Mexico, the security was the main concern. In Paris, the visa procedures took place in our hotel. Upon arriving at Mexico City International Airport and in the hotel that we have been booked, strict security measures were also applied. In Institute Federal Electoral, the EMB of Mexico was hosting and facilitating the training course with international electoral experts from nine countries invited by the UN Mission to give a lecture on various types of electoral systems.

The UN technical assistance-

The UN, after it plays a vital role in establishing the Commission, continued in supporting the Iraqi elections through the United Nations Assisted Mission by advising and helping the Commission throughout all phases of the elections, like: voter registration, capacity building, voters and civic education, media, public outreach, logistic, OCV and so on. The mission in carrying on some of those important tasks, acted in partnership with interested international organizations like USAID, European OSC, IFS, and the international community by organizing training workshops, civic education, and financial aid. Among those, were the governments of the USA, Italy, Japan, Romania, and 11 countries sharing and clustering G fund of the 14 countries where OCV was organized, establishing the Commission from the scratch. It is worth mentioning that the Commission was assigned to not one, but three electoral processes throughout 2005. The first one was the Transitional National Assembly, the Kurdistan parliamentary, and the governorate Council's election on 30th January, in addition to OCV. The second one was the national referendum on the Constitution on 15 October. And the third one was the Council of Representatives election of 15th December.

The Transitional National Assembly elections-

The Independent Elections Commission was established as an independent and autonomous, non-partisan, neutral, professional government office that had authority to implement and enforce regulations, rules and procedures with the full force of law, with exclusive jurisdiction to resolve disputes arising out of the elections and with the decisions of the Board may be appealed only by transitional electoral panel. Upon returning from the training course, the board started this mandate with administrative organizational structure, opening offices in Baghdad and all other 17 provinces, recruiting employees, registering political entities and candidates, accrediting observers and media staffs, enacting its own regulations and trying hard strictly to abide by the elections tied timetable.

The Independent Elections Commission as EMB of Iraq-

The elections of the Transitional National Assembly of 30th of January 2005 was concluded by adopting the proportional representative system using quota and the largest remainder method for 275 seats, including women quota of 35 persons, and considering Iraq as a single constituency with 7761 candidates from 223 political entities and 32 coalition, including 48 independent candidates, and with more than 14 million eligible electors voting in 31,000 polling stations, with 58% turnout.

The Kurdistan Region parliamentary elections-

The Kurdistan Region, since the Iraqis popular uprising of 1991, was not under the control of the central government, and it was protected by the allied forces in the North Light Zone extended from the 36th parallel northward. In 1992, the Kurdistan front, a coalition of several political parties, organized a legislature election that resulted in the Kurdistan Regional parliament. But since the region had its own electoral law that was not in consistency with the transitional elections law, the Commission asked the region's parliament to amend its electoral law accordingly.

The governorate elections-

The most difficult issue for the Commission regarding this election, while the seat allocation for each governorate, was that the transitional administrative law did not tackle this issue, leaving it to the Commission's judgment. At that time there was no reliable popular census for each government to be depended on as a cartanian for seat allocation. And since no official organizations had a clue regarding this highly sensitive issue, the board decided on its own to allocate 51 seats to the Baghdad Governorate Council and 41 seats for the other 17 governorate big and small alike.

Out of country voting, OCV-

Decades of summary executions, arbitrary detentions, forced disappearances, expelling from the government jobs and governing by dictatorial one-party rule forced hundreds of thousands of Iraqis to flee their country and take refuge in neighboring and far away overseas countries. The 2005 election was a heaven-sent opportunity for these people to renew their disrupted ties with the homeland and to have a say in its governing. It was in the light of the above considerations that the board, against the advice of its own international member, decided to organize the OCV, which was implemented by IOM.

The voter registration-

One of the hard tasks of the process was creating voter registration. In this regard, though, there were several registration databases, but the most inclusive one was the public distribution system, PDS, where every Iraqi was registered based on the Russian card. Then the material was given to an international expert for converting it into a suitable electoral register which was displayed for the public for correction.

Electoral security-

Throughout the electoral process, security was the main cause of misgivings and anxiety, and later, the actual events proved to be true. The security procedures, together with a high security committee consisted of a commissioner, a high-ranking military officer, a high-ranking police officer and military personnel of the multinational force were formed to supervise the security procedures throughout the elections period. The insurgents by car bombs, suicide bombing, burning the warehouses of the commission, ambushing commission staff and threatening the voters tried to sabotage elections. All in all, 43 staff members of the Commission lost their lives during 2005. On the polling day, a cordon of policemen was surrounding the election centers with a Cortes. Conjoint of Iraqi Army forming a second protection ring, while the multinational forces securing the area.

Political Parties-

Based on electoral laws and the Commission's regulations, a political entity wishing to stand for the election should be certified by the Commission after submitting a request supported by the signatures of no less than 500 eligible voters and an amount of 2 million and a half Iraqi dinars for an individual, and seven and a half million dinars for a party, should be lodged in the bank account of the Commission, which would then be returned if the entity gained 50% votes to win a seat.

The Commission-

With the start of the electoral campaign, it was bombarded with complaints regarding the violations of the powerful parties to the rules of the campaigning. In regards of all those violations, the Commission took appropriate remedy, or punitive decisions, according to its own regulations.

Election Observation-

Once Kofi Annan said that building democracy is a complex process. Elections are only a starting point, but if their integrity is compromised, it is the legitimacy of democracy.

The end of the court-

In a democratic system, any general elections shouldn't be called, free and fair without genuine monitoring that helped build public confidence in the electoral process. That was why the Commission gave great attention to this side as an integral part of a democratic election. Around 21,000 volunteers and 35,000 political entities, agents, were involved in monitoring the January 30th election, in addition to media, journalists and some foreign embassy staff in Baghdad. In regards of the international observers, the Commission sent letters of invitation to the International Mission for the Iraqi elections, the European Organization for Security and Cooperation, the Human Rights Watch and the Arab League. Afterwards, many governmental and international figures held the courage of the Iraqi people and congratulated the Commission on the success of the process. But some local observers registered serious violations, including the fact that the civic education was not adequate. The Polling Center staff were not trained. The indelible link could easily be removed. Campaigning posters displayed inside the Polling Center, the National Guards preventing observers from entering the center, family and double voting. More pressure. At the beginning of

the final result announcement day, all the boards members moved to the Baghdad Convention Center for reading the announcement aloud. The Center was packed with journalists, political entities, foreign embassy staff and TV channels waiting. At that crucial moment, the Commission's CEO received a warning message from the Prime Minister Secretary ordering the announcement to be postponed because he was not satisfied with his party's result. After some awkward discussions, the board members entered the conference room and announced the results, and nothing happened later.

The de-Baathification issue-

The transitional administration law regarding the conditions of a nominee stipulated he shall not have been a member of the dissolved Ba'ath Party. This obliged the Commission to send the names of the candidates to the de-Baathification(?) Council for vetting. But we found some confusion with the council's handling of this issue, and so the same article stipulated that if a candidate lied in this regard, he would lose his seat in the National Assembly. So, the board decided to neglect the council's vetting list, but the transitional electoral panel overruled the Commission's decision.

Targeting the Commission-

Throughout the elections, the Commission was under tremendous pressure and unfair accusations almost from every side: political entities, media, civil society organizations and even the government. In rejecting those unjustified attacks, the board vigorously defended its decisions and the performance of the Commission in general through statements and news conferences declaring that the commission is an independent administration body of the state entrusted with the elections, and that implementation does not have any political interest, and it is in an equidistance from all stakeholders. In 2007 the Transitional Commission was anew to be replaced by the Higher Independent Election Commission of Iraq, and henceforth, the commissioners were appointed by the political parties through a quota system. One of those parties asked me to stay on the commission, but I thankfully rejected the offer.