



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Any reports on corruption/bribery at government authorities/administration level or in financial institutions in Iraq.

The *Freedom House* annual report on Iraq states:

“Iraq is plagued by pervasive corruption at all levels of government. The problem has seriously hampered reconstruction efforts, and the British Broadcasting Corporation estimated in June 2008 that approximately \$23 billion was missing, having been siphoned off from ministries or invested in projects with U.S. companies that were not properly completed. Even an October 2008 cholera outbreak in Babil province was blamed on corruption, as local officials were reportedly bribed into using expired chlorine for water treatment. Thirty-one members of Iraq's anticorruption authority were killed between 2003 and 2008. Iraq was ranked 178 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.” (Freedom House (Freedom House (16 July 2009) *Freedom in the World 2009 – Iraq*)

A *Reuters AlertNet* report states:

“Iraq has yet to try a single senior official on corruption charges and ministers routinely shield political allies from prosecution, U.S. officials said. ‘The issue for Iraq right now is until you have convictions of government officials, it is not going to inhibit or prevent corruption in the future,’ an official at the U.S. embassy said on Wednesday, speaking to reporters on condition of anonymity. Embassy officials painted a bleak picture of official misconduct in the government of Prime Minister Nuri al-Maliki, who heads a fragile coalition struggling to heal political divisions and lead Iraq out of more than five years of war. Curbing corruption will be an important and formidable task for Iraq, which in 2007 scored above only Myanmar and Somalia in an international ranking of corruption perceptions, in efforts to resurrect a weak economy and avoid an upsurge in violence.” (Reuters AlertNet (17 December 2008) *US says Iraq fails to tackle corrupt high officials*)

In a section titled “Access to justice” (paragraph 273) the most recent guidelines document published by the *UN High Commissioner for Refugees* states:

“The Iraqi Government has made little progress in holding accountable government officials for corruption or involvement in sectarian violence.” (UN High Commissioner for Refugees (April 2009) *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers*, p.157)

An *Irish Times* article states:

“Corruption is endemic in Iraq. Iraqis bribe traffic policemen, clerks, passport officials and petrol station attendants. Applicants pay to gain posts in the armed forces, police and civil service; businessmen to secure contracts. Iraq is rated the third most-corrupt country of 180 listed by Transparency International.” (Irish Times (30 May 2009) *Culture of corruption prompts Iraq's PM to pledge crackdown*)

An *IRIN News* report on allegations of corruption in the Trade Ministry states:

“Meanwhile, Iraqi Trade Minister Abdul-Falah al-Sudani is facing a no-confidence vote in parliament next week over embezzlement and corruption charges - mainly in relation to food imports for the food rationing scheme known as the Public Distribution System (PDS), a member of parliament (MP) said on 18 May. ‘So far we have collected 110 MPs’ signatures for this vote. Corruption in the Trade Ministry is running high, mainly over imported food items unfit for human consumption,’ said Sheikh Sabah al-Saidi, chairman of the parliament’s Integrity Committee. ‘Billions of dollars have been wasted in this ministry and this has led to citizens receiving bad food items over the past few years and also delays in distribution [of food items] in some places,’ al-Saidi said. A simple majority of the 275 members of parliament is enough to dismiss the trade minister. On 16 and 17 May, Al-Sudani appeared before parliament where he acknowledged there had been some cases of corruption in his ministry and admitted ‘some food items were bad.’ The minister’s brother and another official were arrested while seven other officials, including another brother, are still at large.” (IRIN News (19 May 2009) *Iraq: Corruption undermining state food aid programme?*)

A *Reuters* report on the Trade Ministry scandal states:

“Endemic graft is seen as a significant threat to Iraq's progress and stability as it begins to emerge from the years of bloodshed unleashed by the 2003 U.S.-led invasion. Officials estimate billions of dollars are embezzled or paid in bribes for government contracts, hurting Iraq's ability to rebuild its shattered economy and infrastructure at a time when low oil prices are cutting into state revenues. The Trade Ministry scandal has embarrassed Maliki as he prepares to contest a parliamentary election early next year. Maliki on Sunday accepted the resignation of Trade Minister Abdul Falah al-Sudany over corruption allegations that involved two of his brothers and a nephew among nine officials. One brother has been arrested and the other is at large.” (Reuters (27 May 2009) *Iraq leader vows to end corruption amid scandal*)

See also article from *The Independent* which states:

“Iraq plans to arrest 1,000 officials for corruption after a scandal which has forced the resignation of the Trade Minister and is threatening the food supply of millions of Iraqis. Corruption at the Trade Ministry is an important issue in Iraq because the ministry is in charge of the food rationing system on which 60 per cent of Iraqis depend. Officials at the ministry, which spends billions of dollars buying rice, sugar, flour and other items, are notorious among Iraqis for importing food that is unfit for human consumption, for which they charge the state the full

international price.” (The Independent (29 May 2009) *Iraq faces the mother of all corruption scandals*)

A *New York Times* article states:

“But the corruption runs much deeper, endangering the fragile sense of security in Iraq as America draws down its forces, with security services that seem aimed as much at enriching themselves as protecting average Iraqis, according to dozens of interviews with police officers and officials as well as the report by the Interior Ministry. ‘Corruption is a phenomenon that forms a real threat to the structure of the state,’ Jawad Bolani, the interior minister, said in a recent interview. His ministry is Iraq’s second largest, employing one of every four Iraqis working in the public sector, which accounts for a vast majority of the jobs in Iraq. The report details how corruption is carried out in his ministry, which he argues has still made great strides in curbing it. Money is skimmed off of salaries. Contracts are manipulated and fudged to wring personal profit. Ghost police officers are listed on payrolls so commanders can take the salaries, and other police officers are told they are fired even as commanders continue to take their pay. Criminals and insurgents are freed with a well-placed bribe, criminal records are expunged for payment, detainees are abused by guards in order to extort money from relatives.” (New York Times (29 October 2009) *Pervasive Corruption Rattles Iraq’s Fragile State*)

The *Institute for War & Peace Reporting* refers to allegations of corruption by Iraqi government ministers as follows:

“The embattled former trade minister, Falah al-Sudani, who resigned earlier this year, could face prosecution over corruption allegations following parliamentary questioning. Since October, the assembly’s integrity committee has also summoned Iraq’s oil and electricity ministers, Hussein Shahrstani and Karim Wahid. Both deny charges of corruption and underperformance. The ministers are allies of Prime Minister Nuri al-Maliki, who campaigned on a good governance platform in past elections. Corruption is expected to be a key issue in upcoming parliamentary polls, scheduled for January 2010, and the assembly’s investigations are likely to be used by rival parties to hit at the credibility of Maliki and his Dawa party. Sabah al-Saedi, head of the integrity committee and a senior official in the Fadhila party, a Dawa rival, said Maliki has not been cooperative regarding the parliamentary questioning, and accused him of trying to delay investigations – a charge that one Maliki loyalist strongly denied. Maliki ‘bans any inquiry into ministers in his government in order to try to shelter the corrupt ones’, Saedi claimed. ‘Now the [ruling] political blocs themselves are trying to stop inquiries into ministers whose departments’ performance has worsened, under the pretext that it would negatively affect the political and security situation.’ Saedi said the governing coalition parties want to cover up evidence of corruption and failure by ministers who owe allegiance to them.” (Institute for War & Peace Reporting (24 November 2009) *Iraqis Critical of Anti-Corruption Efforts*)

The *New York Times* reported the sentencing of officials convicted of bribe taking as follows:

“Iraq also announced Thursday that three senior officials in the Trade Ministry had been given sentences of up to two years in prison for taking kickbacks and other crimes while overseeing the food import program. The officials included the ministry’s former spokesman and the head of its department for importing sugar, tea and other staples, according to the Web site of Iraq’s Commission of Integrity, which is in charge of investigating corruption. In May, Abdul Falah al-Sudani resigned as trade minister over allegations of corruption in the ministry. As he tried to leave Iraq, the government ordered that his plane return to Baghdad, and he was arrested. He was later released on bail.” (New York Times (25 December 2009) *Twin Bombings Kill 10 South of Baghdad*)

See also *Reuters* report which states:

“Iraq issued hundreds of arrest warrants for officials suspected of corruption last year, but only a fraction were convicted, a government watchdog said in a new report. Some suspects fled while others were protected by powerful officials or by an amnesty law meant to foster reconciliation between Iraq’s feuding Shi’ite and Sunni Muslims, Iraq’s Integrity Commission said in its most recent report, released this week but compiling data from 2008. Corruption is a major problem in Iraq, which watchdog group Transparency International placed fifth from the bottom in its 2009 ranking of perceptions about public corruption.” (Reuters (23 December 2009) *Iraq chases many for corruption, catches few*)

In a section titled “Official Corruption and Government Transparency” (Section 4) the recently published *US Department of State* country report for Iraq states:

“Although the law provides criminal penalties for official corruption, large-scale corruption pervaded the government, and public perception of government corruption and impunity continued to be strong. Intimidation and political influence were factors in some allegations of corruption, and officials sometimes used the ‘de-Ba’athification’ process to pursue political and personal agendas. During the year prosecution of corruption cases increased, but officials combating corruption faced persistent political, social, and capacity restraints. Credible information on the nature and extent of corruption in the judiciary was lacking, but such corruption was widely believed to exist. Anti-corruption institutions were fragmented, and their interaction was hampered by a lack of consensus about their role, partly due to a lack of effective legislation as well as to insufficient political will to eliminate widespread corruption. Lack of accountability continued to be widespread, reinforced by several statutory provisions, unclear regulatory processes, and limited transparency.” (US Department of State (11 March 2010) *2009 Human Rights Report: Iraq*)

This section of the report also states:

“The Commission of Integrity (COI), established in 2004 as the Commission on Public Integrity, is the government body charged with preventing and investigating cases of corruption in all ministries and other components of the government nationwide (except for the KRG). The COI, with a staff of approximately 1,300, reports to the commissioner of integrity, and the COR and has the authority to refer cases for criminal prosecution. According to a prime

ministerial order, the COI may not initiate cases and has instructed the ministerial inspectors general (IGs) to perform all initial investigations. In practice this order has placed the ministers in control of any investigation of corruption within their own ministry. There are documented instances where the ministers have ordered major corruptions investigations to be dropped.” (ibid)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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