

IRAQ

IRAQ GENERAL ELECTION, 15 DECEMBER 2005

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1. Introduction

- 1.01 This Country of Origin Bulletin (COI Bulletin) has been produced by Research Development and Statistics (RDS), Home Office, to identify information about the Iraqi general election, 15 December 2005, obtained from a wide variety of recognised sources. It does not contain any Home Office opinion or policy.
- 1.02 This COI Bulletin has been prepared for background purposes for those involved in the asylum / human rights determination process.
- 1.03 The COI Bulletin is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- 1.04 This COI Bulletin is intended to cover major developments that have taken place in Iraq since publication of the Iraq COI Report in October 2005 and must be read in conjunction with that.
- 1.05 This COI Bulletin and the accompanying source material are publicly disclosable. Where sources identified in the COI Bulletin are available in electronic form the relevant link has been included. The date that the relevant link was accessed in preparing the COI Bulletin is also included.
- 1.06 As noted above, the COI Bulletin is a collation of material produced by a number of reliable information sources. In compiling the COI Bulletin, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. Bulletins do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text.
- 1.07 In producing this COI Bulletin, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this COI Bulletin or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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2. Iraq General Election, 15 December 2005

- 2.01 As stated in a British Broadcasting Corporation (BBC) article (last updated on 20 January 2006) the general elections were held in Iraq on 15 December 2005 to elect the first permanent government and parliament since the US-led invasion. [2a]
- 2.02 *Al-Jazeera* reported, on 15 December 2005, that voter turnout was high. [8a] The article stated that "Hussein Hendawi, the electoral commissioner, said that turnout could have exceeded 10 million voters, or about 67%, well in excess of the 58% recorded on 10 January [2005] when Iraqis voted to elect an interim parliament." [8a] The Psephos report (accessed on 2 February 2006), however, gave the turnout as 12,396, 631 or 79.6 percent of the population. [12a]
- 2.03 The BBC reported, on 15 December 2005, that "Sunni Arabs, who boycotted the last election in January [2006], appear to have participated in large numbers, even in insurgent strongholds." [2e] Another BBC article, dated 16 December 2005, noted that "Voting was extended by an hour in some areas because of the high turnout." [2b]
- 2.04 The same article mentioned that "Some 6,655 candidates, 307 parties and 19 coalitions registered for the ballot." [2b] *The Guardian* stated, on 21 January 2006, that the results were announced on 20 January 2006. [2c]
- 2.05 Several articles noted that the Shi'ite-led United Alliance (UIA) won 128 seats in the 275-member parliament, compared to 146 in the January election. The Kurdistan Coalition won 53 seats, compared to 75 last time, and the Sunni-led Iraqi Accordance Front won 44 seats. [1a] [2d] [5a] [7a] [9a] *The Guardian* stated in an article, dated 21 January 2006, that "Its main component, the Iraqi Islamic party, is similar to the Muslim Brotherhood in other Arab countries. A secular Sunni list, headed by Saleh al-Mutlaq, which has links with the insurgency, won 11 seats. In the last parliament Sunnis only had 17 seats." [9a]
- 2.06 *The Independent* stated on 21 January 2006, that "Deputy Prime Minister Ahmed Chalabi, a secular Shiite once seen as America's choice to rule after Saddam Hussein, failed to win a seat." [7a]
- 2.07 *The Associated Press (AP)* mentioned in a report, dated 20 January 2006, that:
 "Sunnis fared better – and Kurds poorer – because of a change in the election law between the two national elections last year. In the January 2005 balloting, seats were allocated based on the percentage of votes that tickets won nationwide. In the December vote, candidates competed for seats by district. This meant that Sunnis were all but guaranteed seats from predominately Sunni areas." [3a]
- 2.08 The Psephos report (accessed 2 February 2006) stated that the Kurdistan Coalition gained the majority of the vote in Arbil with 94.7 percent, Dahuk with 90.3 percent, Sulaymanyah with 87.2 percent and Kirkuk (At-Tamin) with 53.4 percent. [12a]
- 2.09 The RFE/RL article, dated 20 January 2006, noted that "The results leave the UIA and the Kurdistan Coalition just one seat short of the two-thirds majority

needed in parliament to rush through a government on their own.” [1a] An article in the BBC, dated 20 January 2006, mentioned that “The Shias will now be expected to form a coalition government.” [2d]

Allegations of fraud

2.10 *The Guardian* stated in an article, dated 21 January 2006, that “The poll results were delayed for several weeks after some parties complained of fraud and mounted street protests. They were incensed at preliminary figures that gave the Shia list 58% of the vote in Baghdad, although Shia are thought to number only 40% of the capital's population. The protests fizzled out after international monitors were asked to review the election commission's work.” [9a]

2.11 The Institute of War and Peace Reporting (IWPR) noted, on 26 January 2006:

“Forty-three parties and political movements formed a group called the Maram Movement that opposed the election results, claiming the United Iraqi Alliance, which currently holds 146 seats in parliament, was guilty of electoral fraud. However, Maram said its members would participate in politics even if they did not trust the results or Iraq's leading party.” [5a]

2.12 The International Mission for Iraqi Elections (IMIE) report, dated 19 January 2006, stated that:

“Some 2000 complaints were submitted, alleging a wide range of electoral violations and irregularities that include ballot box stuffing and theft; tally sheet tampering; intimidation; violence; voter list deficiencies; shortages of ballots; multiple voting; improper conduct of the police and Iraqi National Guard; voting by security forces who had previously voted on the special voting day; campaigning within polling centers; and non-observance of the silent day. Many of the complaints deemed most serious by the IECI [Independent Electoral Commission of Iraq] were properly investigated and judiciously resolved. Where IECI staff were found to have violated elections law, the Board applied sanctions to its staff, including fines and dismissal.” [6a] (p4)

2.13 The same report noted that:

“Violations of the law led the IECI to cancel the vote in 227 out of some 30,000 polling stations. This has left void a great number of fraudulent ballots, but has simultaneously annulled the ballots of many Iraqis who had cast their ballots in a proper manner. Cancelling ballot boxes without a new election being called in the affected area is particularly regrettable in an electoral system of list proportional representation where the number of votes required to win or lose a seat may vary from governorate to governorate as well as from a given seat to another seat.” [6a] (p4)

2.14 The RFE/RL report, dated 20 January 2006, added that “The IMIE stopped short, however, of calling for a rerun of the parliamentary elections in affected areas of the country.” [1a] The BBC added, on 19 January 2006, that “In their [IMIE] report, they do not make any overall judgement whether the poll was free and fair but there is no call for a repeat of the ballot.” [2c]

- 2.15 The same BBC article noted that “The report, by the International Mission for the Iraqi elections, says only 237 of the 30,000 polling stations failed to open.” [2c]
- 2.16 The IWPR reported, on 26 January 2006, that “The number of cancelled ballots amounted to less than 1 per cent of an estimated 11 million ballots cast. But it has increased mistrust of the United Iraqi Alliance, which critics maintain led a religiously conservative and sectarian government in 2005.” [5a]

After the elections

- 2.17 An article by AP, dated 20 January 2006, stated that:

“After the results are certified, President Jalal Talabani will call the parliament to convene within another 15 days.

The parliament will elect a new president within 30 days after it convenes. The new president then has 15 days to name a prime minister-designate, who will then have 30 days to name the members of his Cabinet.

If the parliament fails to approve by absolute majority the prime minister and his new government, the president will have to designate a new prime minister.

Under the new constitution ratified last October, parliament can approve a new prime minister and Cabinet by only an absolute majority of its members. However, the president and two vice presidents must win the votes of two-thirds of parliament members.” [3b]

- 2.18 The Institute of War and Peace Reporting (IWPR) noted, on 26 January 2006, that the members of parliament will hold power for four years. [5a]
- 2.19 An article in *The Times*, dated 21 January 2006, stated that “Despite Sunni accusations of widespread electoral fraud, informal talks have begun between the main Sunni block and the Kurds over the formation of a consensus government. Many observers believe that the Sunnis could be offered the defence portfolio to secure their collaboration.” [4a]
- 2.20 An IWPR article (accessed on 15 December 2005) stated that “The next parliament will finalise the constitution that was drafted earlier this year. Once this has been done, changes cannot be made for another eight years.” [5b] (p5)

Update on the security situation

- 2.21 The Human Rights Watch World (HRW) report 2006 stated that “The human rights situation in Iraq deteriorated significantly in 2005, with a continuing rise in the number of armed attacks by insurgent groups, including the deliberate targeting of civilians and violent attacks such as suicide bombings.” [11a]
- 2.22 An article in *The Guardian*, dated 18 January 2006, reported that “An official assessment drawn up by the US foreign aid agency depicts the security situation in Iraq as dire, amounting to a ‘social breakdown’ in which criminals have ‘almost free rein’.” [9b] The article added that “The US analysis talks of an ‘intercine conflict’ involving religious, ethnic, criminal and tribal groups.” [9b]

The same article, nevertheless, noted that Judith Yaphe, a former CIA expert on Iraq now teaching at the National Defence University in Washington, criticised the USAid report for being 'pessimistic'. "It's a very difficult environment, but if I read this right, they are saying there is violence everywhere and I don't think this is true,' Ms Yaphe said." [9b]

2.23 The United Nations Security Council (UNSC) report, dated 7 December 2005, noted that "While violence continues across the country, Baghdad, Mosul and the western province of Anbar are the areas that have been most seriously affected. The south and northern governorates have been the regions least affected, although these areas have experienced a rise in the number of incidents since my last reporting period." [10a] (p13)

2.24 *The Guardian* article, dated 18 January 2006, however, stated that "The lawlessness has had an impact on basic freedoms, USAid argues, particularly in the south, where 'social liberties have been curtailed dramatically by roving bands of self-appointed religious moral police'." [9b]

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Annex A: Election results

The Psephos report, accessed on 2 February 2006, stated that the Iraqi Council of Representatives consists of 275 members, of which:

- 230 are elected by proportional representation from the Governorates.
- Additional seats are then allocated to any parties which have attained a nationwide quota of 1/275 of the national vote, but have not won any Governorate seats. In this case, there was only one such seat (Al-Rafidayn).
- The remaining seats (in this case, 44) are allocated to the parties on a national proportional basis. [12a] (p1)

| Party | Votes | Percentage of the votes | Seats |
|---|-----------|-------------------------|------------|
| United Iraqi Alliance (Shi'ite) | 5,021,137 | 41.2 | 128 |
| Kurdistan Coalition | 2,642,172 | 21.7 | 53 |
| Iraqi Accordance Front (Sunni) | 1,840,216 | 15.1 | 44 |
| Iraqi National List (Secular) | 977,325 | 8.1 | 25 |
| National Dialogue Front (Sunni) | 499,963 | 4.1 | 11 |
| Kurdistan Islamic Union | 157,688 | 1.3 | 5 |
| National Reconciliation and Liberation Bloc (Sunni) | 129,847 | 1.1 | 3 |
| Risaliyun / Progressives (Shi'ite, Sadr movement) | 145,028 | 1.02 | 2 |
| Al-Rafidayn (Mesopotamia) Party (Christian) | 47,263 | 0.4 | 1 |
| Iraqi Turkoman Front | 87,993 | 0.7 | 1 |
| Iraqi Nation List (Mathal al-Alusi) (Sunni) | 32,245 | 0.3 | 1 |
| Yazidi Movement / El-Ezediah Movement | 21,908 | 0.2 | 1 |
| Others * | 588,348 | 4.8 | 0 |
| Total | | | 275 |

* Unrepresented parties polling less than 1% of the vote are aggregated as Others.

[1a] (p2) [12a] (p1)

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- 7 **The Independent, London**
 - a Shiites look to coalition after Sunni gains in Iraqi elections, 21 January 2006
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- 10 United Nations Security Council (UNSC)**
 - a Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 7 December 2005 <http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/2005/766&Lang=E&Area=UNDO C> Date accessed 1 February 2006

- 11 Human Rights Watch (HRW)**
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- 12 Psephos**
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