

Policy Alert

Recount Will Test the Integrity of Iraq's Elections

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If conducted in a transparent and accountable fashion, the process could infuse some much-needed confidence into the country's democratic process, despite the risks.

The euphoria surrounding Iraq's May 12 parliamentary elections has died out recently amid eruptions of violence and allegations of widespread fraud. On June 6, explosions hit Baghdad's Sadr City, and a depot for ballot boxes was set ablaze on June 10. These incidents took place as the government looked into accusations of tampering with electronic voting machines, ballot box stuffing, voter intimidation, bribery, and misuse of voter IDs.

Initially, the country's Independent High Electoral Commission (IHEC) shrugged off the fraud complaints, but a cabinet investigation found enough evidence—including potential criminal offenses—to call for an exploratory 5 percent manual recount in certain provinces. Then, on June 6, parliament amended the electoral law to mandate the following:

- IHEC must conduct a full manual recount of ballots in all provinces.
- Judges appointed by the Supreme Judicial Council will replace IHEC's current commissioners (IHEC is made up of political appointees).
- All absentee ballots cast abroad are to be nullified, along with all results taken by security personnel and polling stations at camps for internally displaced persons.

The day before the parliamentary amendments were enacted, the cabinet had called for a travel ban on IHEC officials alongside its manual recount order. IHEC is now questioning the constitutionality of the legislature's move before the Supreme Court.

WHAT IS THE EVIDENCE?

The main investigation began on May 25, when the government formed a committee of officials from Iraq's auditing and intelligence agencies to look into the fraud charges. When the committee presented its findings on May 29, Prime Minister Haider al-Abadi described them as "dangerous." One of the more troubling conclusions was that Iraq's electronic voting machines—which the country had never used before—were not adequately tested against tampering before election day. This resulted in discrepancies between actual ballots and machine readings, indicating that some machines were pre-programmed to yield fraudulent votes.

The committee also found that some of the IHEC officials supervising the elections abroad had been bribed into doctoring results through ballot box stuffing. A few polling stations even recorded 100 percent participation rates—a feat that was only possible through illegally procuring voter IDs from abstaining voters and casting ballots in their name.

WHY IT MATTERS

Ignoring or whitewashing evidence of vote rigging would erode trust in an election already marred by record low turnout, raising doubts about the next government's legitimacy. A recount, while risky in its own right, could breathe some confidence into Iraq's electoral system if conducted properly. Bolstering confidence is particularly important now because two more votes are on the horizon: the Kurdistan Regional Government (KRG) will hold elections in September, and nationwide provincial elections are scheduled for December.

Both the cabinet and the legislature support a recount, so it will likely go forward. At minimum, the process will lead to some tweaking of the final voting tallies, perhaps even enough to change the outcome in certain provinces.

Yet a manual recount is not a panacea—although it can address electronic fraud, it will not detect other problems such as ballot box stuffing and voter intimidation. The June 10 depot fire could further limit the recount's effectiveness if crucial evidence has been destroyed. Moreover, if the discrepancies between machine and manual reading are egregious, the country will likely be headed toward fresh elections, as advocated by former prime minister Ayad Allawi and other political leaders.

A recount carries significant political risks as well. It might delay the government formation process well into 2019

and cause further party fragmentation. It could also produce major shifts in the declared results that wind up blunting the lead of Muqtada al-Sadr's Shia Arab coalition—a development that would no doubt exacerbate sectarian tensions and political turmoil.

In the KRG, the Kurdistan Democratic Party and the Patriotic Union of Kurdistan have already dug in their heels, boycotting the parliamentary session that voted for the recount and refusing the order to nullify results from special security-force balloting (where the influence of party patronage is typically strongest). Some elements may resort to violence if the process does not go their way—for example, when media affiliated with the KRG opposition faction Gorran mentioned the prospect of voter fraud shortly before the election, the PUK attacked the party's Sulaymaniyah headquarters.

As for the possibility of wider national violence, such eruptions seem to be a constant threat in Iraq. Despite ongoing security reforms, numerous forces and militias still operate beyond the government's control. Security prevailed during the election itself, but the explosions in Sadr City and the depot attack show how easily certain actors—whether foreign or domestic—can become spoilers.

WHAT TO EXPECT

To alleviate these risks and restore some faith in Iraqi democracy, the recount should be conducted as swiftly as possible, with maximal international support. Unbiased foreign observers would help boost confidence in the process—UN involvement is a must, as is support from renowned U.S.-based organizations like the International Republican Institute and National Democratic Institute. Holding new elections would entail greater risk; the chances of that scenario will become clearer in the coming days, especially if prominent figures such as Shia ayatollah Ali al-Sistani weigh in with public remarks.

As the recount takes its course, Abadi and his government will likely be forced to enter caretaker mode in the absence of a new legislature. Any decisions he makes in the interim would affect his chances at securing a second term.

For their part, U.S. officials should remain neutral while offering Abadi whatever support he needs to ensure accountability and rule of law. In addition, they should help the Iraqi military focus on the security of provinces recently liberated from the Islamic State, where vote rigging was widespread. These provinces in particular cannot afford more violence. Washington should also signal the two ruling Kurdish parties that political violence in the north is unacceptable.

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