

U4 Expert Answer



Iraq: overview of corruption and anti-corruption

Query

Please provide an overview of corruption and anti-corruption efforts in Iraq.

Purpose

We would like to provide all country offices with an anti-corruption country profile to inform their contribution portfolio analysis

Content

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Caveat

This answer does not extensively deal with the specificities of the Kurdistan Regional Government (KRG) and primarily focuses on corruption and anti-corruption in the rest of Iraq.

Summary

After a difficult beginning marked by institutional instability, Iraq's new regime has in recent years

become increasingly aware of the enormous corruption challenges it faces. Massive embezzlement, procurement scams, money laundering, oil smuggling and widespread bureaucratic bribery have led the country to the bottom of international corruption rankings, fuelled political violence and hampered effective state building and service delivery.

Although the country's anti-corruption initiatives and framework have expanded since 2005, they still fail to provide a strong and comprehensive integrity system. Political interference in anti-corruption bodies and politicisation of corruption issues, weak civil society, insecurity, lack of resources and incomplete legal provisions severely limit the government's capacity to efficiently curb soaring corruption. Ensuring the integrity of the management of Iraq's massive and growing oil revenue will therefore be one of the country's greatest challenges in the coming years.

Author(s): Maxime Agator, Transparency International, magator@transparency.org

Reviewed by: Marie Chêne, Transparency International, mchene@transparency.org; Finn Heinrich, Ph.D, fheinrich@transparency.org

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1. Overview of corruption in Iraq

Background

Iraq's recent history has been marked by violence and political instability. The radical change in the Iraqi political setting that followed the toppling of Saddam Hussein's regime by the US-led coalition in 2003 has led in the first years to an explosion of ethno-sectarian violence that peaked in 2006-2007 and disrupted most governmental and economic activities (ICG, 2011). Although the level of violence has been significantly reduced since 2008, it is still a dominant feature in several provinces. In the meantime, the new regime, which was established as a federal, parliamentary democracy with limited executive powers through the adoption of a new Constitution by referendum in 2005, has been challenged in several ways.

Shia Prime Minister Al-Maliki, who has been serving since 2006, has been accused of concentrating powers in his hands, including by bringing under the executive's control constitutionally independent state institutions, silencing dissents and sidelining its Sunni allies in early 2012, as the last US troops were leaving the country (Freedom House, 2012). In the winter of 2011 and again in early 2013, a series of Sunni-dominated popular protests in key provinces challenged Mr Al-Maliki's government, pushing demands for the liberation of prisoners they claimed were unjustly held under anti-terrorism laws, asking for better service delivery, protesting against the end of corruption, and demanding a better use of the country's massive oil income. Although prominent voices called for leaving ethno-sectarian divides aside, these remain a core element of Iraqi politics and the struggle for power, which manifests itself in key legislation, nominations to key positions in the public sector, debates on corruption scandals and political violence. (ICG 2011, SIGIR 2012)

The Kurdistan region (north) has been de facto autonomous from Baghdad since 1991. Given this specificity, it has been relatively spared by the insecurity of the post-2003 period and has known higher stability and investment (Bertelsmann Foundation, 2012). Under the current constitution, the Kurdistan Regional Government is considered as a federated entity of Iraq. Yet Disputes over territories and oil revenue have led to tensions with Baghdad. As a result, Kurdistan has experienced different corruption dynamics from the rest of Iraq. (ICG, 2012)

In spite of the impact of wars and sanctions on Iraq's economy, the country has experienced a strong economic recovery in recent years, mostly due to its substantial hydrocarbon reserves. Yet despite oil wealth and a high forecasted global growth for 2013 (14.7%) (IMF 2012), the economy outside the hydro-carbon sector remains relatively weak and unable to create enough jobs for its growing workforce, leading to unemployment levels of at least 20%, and a per capita GDP that only regained 1980 level in 2011. In addition, 10 years after the end of the war and despite massive investments, Iraq still fails to deliver basic services efficiently and 23% of Iraqis still live in absolute poverty (UN, 2013).

Extent of corruption

The events that followed the 2003 invasion created numerous opportunities for corruption with relative impunity. Although there is evidence that corruption was already widespread under the Saddam Hussein and Baath party regime, including through the UN oil for food programme fraud scheme, there is a broad consensus that corruption has peaked after 2003. (Foreign Policy 2012)

As in other conflict-torn countries, the post 2003 invasion has been characterized by a massive influx of reconstruction and state-building resources, eased by the lifting of international sanctions. This massive influx has overwhelmed the spending, management and oversight capacities of the weakened and deeply disorganised Iraqi public sector. (OECD, 2009; ICG 2011)

This phenomenon was not limited to Iraqis, as American reconstruction initiatives also faced significant oversight issues. The US Special Inspector General for Iraq Reconstruction estimates, in its final report, that 40% of the reconstruction projects assessed had major deficiencies, including overcharging by subcontractors, expenditures unaccounted for, waste and fraud. (SIGIR, 2013)

There is a broad consensus that corruption is widespread in Iraq and that it constitutes a threat to state building efforts. It has even been called 'the Nation's second insurgency' by Prime Minister Al-Maliki in 2006 (SIGIR, 2013). As a consequence, the country has consistently performed poorly in the past decade in most global corruption indicators.

The Corruption Perception Index has repeatedly ranked Iraq amongst the worst-performing countries. In the

2012 CPI, Iraq was ranked 169th out of 175 countries, with a score of 18 out of 100. (Transparency International, 2012). In line with these findings, Iraq was ranked in the bottom 10 percentile in terms of control of corruption in the World Bank's 2011 Worldwide Governance Indicators. Scores on other dimensions are not as bleak, but Iraq remains in the bottom quintile of the ranked countries. (World Bank, 2011)

According to the 2011 Global Corruption Barometer, 77% of the Iraqi respondents perceive that corruption had increased over the past three years, while only 4% estimated that it had decreased. (Transparency International, 2011)

Business surveys show a similar picture, although more nuanced. The World Bank's Enterprise survey indicates that for 62% of surveyed firms corruption is a major obstacle to conducting business. The survey further estimates that a bribe is requested in 33.8% of business transactions with the public sector. While both these overall scores are better than the MENA average, there are variations across regions and types of enterprises: for instance, rates for medium-sized enterprises alone are generally higher than for other businesses. In the Kerbala region, 89% of firms said they were expected to give a gift to public officials to "get things done", while 70% of firms in Baghdad experienced a bribe request in the past year. (World Bank, 2011c)

According to a study based on IMF & World Bank data conducted by Global Financial Integrity, an estimated US\$ 65 billion in illicit funds left Iraq (about twice its 2005 GDP, or 56% of its 2011 GDP) between 2001 and 2010, suggesting massive fraud, corruption, tax evasion and money laundering. (Global Financial Integrity, 2012). An audit by Iraq's Board of Supreme Audit gives an even higher figure, estimating in up to US\$ 40 billion the flows of funds that could be leaving the country annually – through money laundering schemes that use the Central Bank's activities - because of corruption (SIGIR, 2013).

Forms of corruption

Bureaucratic corruption

Bureaucratic corruption is widespread in Iraq, especially as the public sector is still in charge of managing certain key aspects of the economy, such as the country's food distribution programme.

In the Global Corruption Barometer of 2011, 56% of respondents declared having paid a bribe in the 12 months preceding the survey. The Police, Customs and the Judiciary were the three institutions where the most bribes were paid. (Transparency International, 2011). These results are partly confirmed by the monthly bribery surveys of public offices organised by the Iraqi Commission of Integrity. For January 2013, 3% of respondents declared having paid a bribe during that month alone. Passports, taxes and oil distribution offices were the worst offenders, with up to 23% of users declaring having paid a bribe in selected passport offices. In both surveys, the first reason given for paying bribes is "speeding things up". (Transparency International, 2011; Commission of Integrity, 2013).

The Iraq Knowledge Network (IKN) 2011 survey, jointly organised by the UN and Iraqi authorities, finds lower bribery rates, findings also points to the Police as the institution most likely to request bribed (12% bribe prevalence), followed closely by tax and land registry offices. This survey also shows important regional variations: 29.3% of citizens reported paying bribes in Baghdad, against 3.7% in Kurdistan. (IAIU Iraq, 2012)

Surveys on business bribery also show high levels of bureaucratic corruption: according to the World Bank's Enterprise surveys, 64% of medium-sized firms stated they were expected to provide a "gift" to win a governmental contract in Iraq in 2011. The rate can even reach 100% in specific provinces such as Basrah, meaning that bribery is the norm in procurement in the province (Worldbank, 2011b).

Other reports reveal that securing a public job, notably in the security forces, is often impossible without paying hundreds, or even thousands of US dollars. (The Independent, 2013)

Nepotism and clientelism

Nepotism and clientelism are often reported to be common practices. According to the 2012 Bertelsmann Transformation Index report, clientelism – along with other forms of corruption - has led to the massive hiring of unqualified employees by the public sector based on sectarian, political, tribal and family ties, leading to further inefficiencies since 2003. A recent scandal led the Iraqi ministry of the interior to publicly recognise that 9000 individuals had been hired with fake university degrees, including at the Prime Minister's office. (Bertelsmann Foundation, 2012). Other examples of nepotism have been reported in key entities such as the

Parliament or the Commission of Integrity itself (ICG, 2011).

Grand and political corruption

Corruption at the highest levels of the state has been featured prominently in the Iraqi and international news since 2003, and is probably the most worrying sign of the country's corruption trends. All sources consulted within the framework of this query stress that high-level corruption is massive and widespread. Furthermore, it seems that this systematic looting of state resources is directly connected with sectarian and political power struggles.

For the year 2009 alone, 152 arrest warrants were issued by the Iraqi Commission of Integrity (COI) against officials of Director General rank or above, including 8 ministers. (COI, 2011). Yet, some senior Iraqi judiciary officials consider these high profile trials as a "drop in the ocean" (ICG, 2011). Converging sources, including leaked reports both from the US Department of State and the Iraqi Commission of Integrity, revealed that billions of US\$ had been stolen at the highest level since 2003 (BBC, 2009). Former COI head Judge Al-Radhi revealed more specifically that from 2003 to 2008 alone, US\$18 billion of losses to corruption had been uncovered. (US Senate, 2008)

Senior officials, up to the governor of the Central Bank, have recently been dismissed on allegations of corruption. It is however difficult to ascertain to what extent such charges may be politically motivated (Iraq Business News, 2012a).

Other key witnesses have also reported corruption at the highest levels, describing it as even more systemic. Judge Rahim al-Ugaili, former head of Iraq's Commission of Integrity, was forced to resign in 2011 after discovering a network of shell companies that embezzled procurement funds, with close links to senior political parties and politicians including the Prime Minister's office (ICG 2011). He subsequently declared in an open letter to the parliament's anti-corruption committee that the government had no interest in fighting corruption and protected high profile offenders from prosecution (The Independent, 2013).

In late 2012, the current President of the Board of Supreme Audit, Abdul-Basit Turki, confirmed this vision, when he declared that corruption, as a result of political patronage between parties, senior officials and sectarian groups, had grown to "become an institution in itself". (SIGIR, 2013)

Overview of sectors with high corruption risks in Iraq

Public finance management

Over the last decade, Iraqi national budgets have been widely criticised for their lack of transparency. Iraq is one of the worst performers in the Open Budget Survey, with a score of 4 out of 100 in 2012. (International Budget Partnership, 2012), indicating that close to no budgetary information is made available to the public. While Iraq produces a number of budget documents for internal government use, such as the proposed and enacted budgets, as well as in-year and audit reports, most of them are not publicly released. In addition, no public consultation mechanisms are in place during the budgetary process, leaving ordinary citizens no opportunity for participation. This means that the government cannot be held accountable by the public neither for its decisions on the allocation of public resources nor for its actual spending, leaving significant space for arbitrary decision making.

Procurement in Iraq has also been known in the past as a hot spot for corruption. While a relatively comprehensive legal framework is in place, including for the prevention of conflicts of interest for procurement officials, it remains inadequately implemented (Global Integrity 2008, OECD 2008). A 2008 OECD report identified a number of instances of embezzlement in various ministries. In addition, it appears that some loopholes in the current procurement legal framework, such as cooperation contracts between public and private companies, have been used to circumvent procurement rules and award contracts to shell companies. (ICG, 2011)

Oil and gas sector

Iraq has been ranked as the country with the world's 4th largest oil reserves in 2011, with an estimated 141 billion barrels (OPEC 2011). In 2011, oil income represented 93 % of the Iraqi state's resources and about 60% of its GDP. The persistent dominance of extractive industries in the economy, the concentration of power in the executive's hand and worrying signs of oil income mismanagement have raised fears that Iraq might be affected by the 'resource curse'.

As a result, ensuring that Iraq's massive oil and gas income is used for the benefit of all Iraqis is probably one of the biggest anti-corruption challenges of the coming years. Two major corruption risks threaten the good use of hydrocarbon resources:

- **Oil smuggling.** There are converging reports denouncing oil smuggling on various scales, from local pipeline drilling to large-scale organised fraud. These illicit activities have been used to finance major political & religious groups and personalities, criminals, militias and other violent groups. Oil smuggling is estimated to have cost nearly US\$ 7 billion between 2005 and 2008 alone (OECD 2008). Despite initiatives aimed at improving metering, the problem is still acute, as demonstrated by Basrah oil workers who recently started a strike to denounce “oil thieves” amongst their management. (Al-Arabiya News, 2013)

- **Oil revenue management** is another wider challenge for Iraq. Oil and gas, as extractives industries, are deemed to carry inherent high corruption risks due to the high volumes of revenue involved and the high incentives for rent seeking they provide (Kolstad, Søreide & Williams, 2008). Although Iraq has been compliant with the Extractive Industries Transparency Initiative since 2012, there are still many concerns as to whether its booming oil revenues will be used transparently.

Defence and security

The ministries of defence and security have been regularly described to be amongst the public sectors which are most affected by corruption.

Defence contracts and procurement have been repeatedly criticised as weak links, given the high number of corruption scandals that were uncovered. The Board of Supreme Audit estimates that, for instance, US\$1.4 billion was lost to fraud and corruption in the Ministry of Defence in 2005 alone. In 2008, former Integrity Commissioner judge Al-Radhi declared that corruption cases worth US\$4 billion had been detected in the ministry of Defence, and \$US 2 billion in the ministry of the Interior (US Senate, 2008). A significant example of such flawed procurement contracts is the purchase of fake “bomb detectors” for US\$ 85 million in 2008 (ICG, 2011).

Furthermore, bribery has been reported in the hiring of new recruits for the security forces, with accounts of up to US\$ 5,000 paid by new recruits (Freedom House, 2012). As already mentioned, extortion of bribes by policemen is also common practice, as 64% of Iraqis who interfaced with the police in 2011 declared having paid a bribe, making it the worst performing institution in Iraq in the 2011 Global Corruption Barometer. (Transparency International, 2011)

Electricity

Electricity is one of the public services with the worst delivery record in Iraq, as it still fails to deliver sufficient electrical supply ten years after the end of the war, despite massive investments undertaken since 2003. According to the Spokesman for the Oil and Gas Committee of the Parliament, while US\$ 27 billion have been spent in the electricity sector since 2003, supply only increased by 1,000 Megawatts. To offer a term of comparison, Kurdistan increased its generation capacity by 2,000 Megawatts with only US\$ 1 billion investment. This raises suspicions on the use of electricity funds in the rest of Iraq. (AK News, 2012) While the exact role of corruption in this sector is unclear, the massive spending forecasted in the electricity sector in the coming years is likely to provide strong corruption incentives.

2. Overview of anti-corruption efforts in Iraq

Overview of anti-corruption efforts in Iraq

Past and current efforts

In the immediate aftermath of the 2003 invasion, combating corruption was not considered a high priority by the occupying authorities (ICG, 2011). It has risen to the top of the political agenda in recent years, when both Iraqi and American officials started understanding the cost and impact of corruption on Iraq's recovery.

A first significant move took place in 2007-2008 with the adoption of the United Nations' Convention against Corruption. Iraq has subsequently developed with UNDP support its first comprehensive National Anti-Corruption Strategy (NACS 2010-2014) that covers every ministry and public organisation (Joint Anti-Corruption Council of Iraq, 2010)

Subsequently, a series of reforms have been pushed through, including:

- The recent repealing of Article 136 b of the Criminal Code, which allowed for ministers to protect their employees from corruption prosecution and had repeatedly been used to shelter offenders. (Global Justice Project Iraq, 2011)

- Iraq's involvement in a series of international initiatives such as the Extractive Industries Transparency Initiative – Iraq was declared a compliant member in December 2012 – and various OECD programmes, such as the OECD MENA initiative on Governance and Investment for Development (EITI 2012, OECD 2013).
- Iraqi authorities initiated a series of asset recovery procedures to obtain the return of funds embezzled under the Baath regime (Stolen Asset Recovery Initiative, 2013). They also started prosecutions against major oil multinational companies allegedly involved in defrauding the Iraqi people within the framework of the UN Oil for Food programme.
- Finally, Iraq strengthened the capacity of its anti-corruption institutions and clarified their mandates. Bilateral and multilateral cooperation agreements, notably through the lead of UNDP and funding by the American Department of State, include capacity building of its anti-corruption and rule of law institutions. Technical assistance needs were also identified as part of the implementation of UNCAC (UNODC, 2012).

Despite these initiatives, anti-corruption efforts have recently seemed to falter; Prime Minister's Al-Maliki's '100 days to fight corruption' declaration, made in 2011, did not bring the expected results (ICG, 2011). In addition, attempts of government officials to seize control of independent institutions continue undeterred. For instance, the council of Ministers claimed control of the Commission of Integrity, prompting the dismissal of the last Commissioners after he had openly denounced the government's lack of commitment to fighting corruption. (ICG, 2011) The Government's political will and commitment to anti-corruption efforts is therefore uncertain.

Legal framework

National legislation

Iraq's national anti-corruption legislation has been assessed by some observers such as Global Integrity as relatively comprehensive, despite a number of major shortcomings. However, many of the existing laws are inadequately implemented and enforced. Global Integrity's 2008 scorecard gave Iraq a score of 75 out of 100 for its anti-corruption laws, but only 32 of 100

regarding their actual implementation. (Global Integrity 2008)

Iraqi law criminalises various forms of corruption, including bribery in the public sector (Law 111 of 1969), money laundering (Law 93 of 2004) and embezzlement (Articles 315, 316 and 320 of the Criminal Code). In addition, law 30 of 2011 notably includes mandatory financial disclosure measures for top government officials. Iraqi legislation also criminalises obstruction of justice and has provisions for granting rewards to whistle-blowers reporting corruption. (UNODC, 2012)

Major shortcomings include lack of legislation addressing bribery in the private sector or of foreign officials, trading of influence, as well as insufficient protection of witnesses and whistleblowers. In early 2013, a new draft anti-corruption law was under discussion which, if approved, would address a number of these deficiencies and improve Iraq's compliance with the UNCAC. As of the time of writing the law's approval was still uncertain (UNODC, 2012).

Finally, Iraq has no regulation of campaign and political party financing, and the right to access to information is not guaranteed by law. (Global Integrity, 2008).

International conventions

In addition to the UNCAC, the country is also part of the United Nations Convention against Transnational Organised Crime and a signatory to regional treaties and agreement such as the Riyadh Arab Agreement for Judicial Cooperation. (UNODC, 2012)

Institutional framework

The anti-corruption framework has been completely reorganised in 2003-2004, with the creation of three new institutions, in addition to the pre-existing Board of Supreme Audit.

Commission of Integrity

Established by the Coalition Provisional Authority (CPA) in early 2004 through C.P.A. Order No. 55, the Commission of Integrity (formerly Commission of Public Integrity) is the main anti-corruption body of Iraq. Its mandate was last modified in 2011 with Federal Law 30. Its functions range from investigating cases of corruption to developing a culture of integrity, transparency and accountability in the public and private sectors. It is also in charge of preparing draft laws to prevent and fight corruption, issuing rules and standards of ethical conduct and overseeing the

financial disclosures of public officials. It also produces statistics on corruption cases and bribery.

Although the Commission of Integrity is described as 'independent' in the Constitution, a contested 2010 ruling by the Supreme Judicial Council has granted the control of independent bodies to the Council of Ministers (SIGIR, 2012). This has led to the forced removal of previous Commissioners recognised for their professionalism and independence, including Judge Al-Ugaili, and therefore raises doubts on the current Commissioner's actual independence from Prime Minister Al-Maliki.

Beyond the issue of independence, most observers have doubted the Commission's ability to effectively combat corruption, dubbing it a 'paper tiger' (ICG, 2011) or toothless (Bertelsmann Foundation, 2012). The US Special Inspector General for Iraqi Reconstruction described it in early 2013 as a "marginally effective force" (SIGIR, 2013).

Board of Supreme Audit (BSA)

The Board of Supreme Audit is one of the oldest institutions of the Republic of Iraq and is considered to be solidly established. The mandate of the Board has varied throughout its history, and was last modified in 1990 and 2011 (Federal Law 31). It is a financially and administratively independent institution, reporting to the Parliament. Among other responsibilities, it is tasked with protecting public funds and ensuring their efficient use, increasing the efficiency of the institutions, conducting audits of various public sectors, continuously improving audit, accounting and management standards so that they match international standards, as well as developing the accounting and auditing professions and accountancy systems.

It refers potential violations to the Inspector General or the Commission of Integrity (UNODC 2012). The BSA is considered to be a strong oversight institution in Iraq, despite limitations such as the inability to undertake audits of its own right (Open Budget Initiative, 2012)

Inspectors General

The Inspectors General were established in 2004 through the CPA Order 57, and represent a novelty in the Iraqi institutional framework. Similar to the American example, they are placed within each of the Iraqi Ministries to provide an independent internal oversight. They conduct audits investigation and performance reviews in order to increase accountability and integrity and to prevent and identify fraud, waste and other

violations, thus potentially playing a strong role against corruption. Inspectors General can refer cases to law enforcement for further investigation and prosecution. (UNODC, 2012)

The Inspectors General's presence has not been easily accepted or understood by Iraqi ministries, and they have been seen in some instances as American 'spies'. In addition, they have faced various funding, resources and training issues harming their efficiency. A move initially aimed at the dissolution of the Offices of Inspectors General in 2012 was eventually prevented and turned into the suppression of only a handful of them. However, their future remains uncertain. (SIGIR, 2013)

Joint Anti-Corruption Committee

The joint Anti-Corruption Committee has been created in 2008 and is tasked with coordinating the anti-corruption framework, sharing information and overseeing the National Anti-Corruption Strategy. It is chaired by the Secretary General of the Council of Ministers and composed of representatives of the Commission of Integrity, the Financial Audit Board and the Inspectors General.

Parliamentary Committee

The parliamentary committee in charge of corruption issues provides monitoring and oversight for the various anti-corruption bodies. However, no documented account of its degree of efficiency or independence could be found.

Judiciary

The Judicial power is separated from the Executive in law and is considered independent in practice in a number of areas. However, Iraq's judges have been under increasing sectarian and political pressure – including physical threats - in the last years notably regarding corruption cases (ICG, 2011). This has made the prosecution and conviction of corruption offenders especially difficult, even in cases with strong evidence (Freedom House, 2012).

In addition, while the current Chief Justice seems to benefit from a high reputation of impartiality and professionalism, he simultaneously heads the Iraqi Higher Judicial Council, the Federal Supreme Court and the Federal Court of Cassation. Such a concentration of power within the judiciary is deemed worrying for future efforts. (Bertelsmann Foundation, 2012). Furthermore, surveys suggest that the judiciary is itself prone to bribery: as many as 49% of Iraqis who

had been in contact with the Judiciary in 2011 declared having paid a bribe, according to Transparency International's Global Corruption Barometer (Transparency International, 2011).

Beyond direct corruption issues, it seems that the judiciary, as other public bodies, suffers from slowness, burdensome bureaucratic procedures and relatively inexperienced personnel. (Bertelsmann Foundation, 2012)

Other actors

Media

Although the Constitution protects freedom of expression and a new Media law (2011) provides additional protection, Iraq remains one of the most dangerous places in the world for journalists. Iraqi and foreign journalists have been arbitrarily arrested or beaten by security forces, and face high risks of trials for libel or defamation. Murders and attacks of journalists are also frequent, as between 140 and 230 journalists are estimated to have been killed since 2003 (Freedom House, 2012a).

Both Freedom House and Reporters Without Borders gave Iraq among the worst scores in their respective global rankings. Iraq's press was thus repeatedly ranked as "not free" by Freedom House (Freedom House, 2012b), while the country was never ranked above 130th in the Press Freedom Index since 2003.

There is a lack of independent media in Iraq and the press is also subject to sectarian tensions and influence (Bertelsmann Foundation, 2012).

As a result, and despite trainings received in investigative journalism, Iraqi media outlets often resort to self-censorship for fear of reprisals, and fail to play a strong role in keeping the government accountable.

Civil society

Civil Society is a new feature in Iraq, since under the previous regime civil society was close to non-existent outside the organisations associated with the Baath party. Although since 2003 the number of CSOs has increased, the overall civil society sector remains relatively weak. (Bertelsmann Foundation, 2012)

The Law on Non-Governmental Organisation (12) of 2010 sets the legal framework for such organisations and reaffirms the right of any Iraqi citizen to participate

in civil society. It was welcomed as a success by Iraqi NGOs as it lifted previous restrictions. However, the government of Iraq proposed a new law in early 2013 that would give it undue discretion to limit freedom of assembly.

The lack of civil society participation in anti-corruption efforts is problematic, as it deprives Iraq's integrity system of the crucial role of civil society in monitoring of anti-corruption efforts, providing non-governmental advice and recommendations, holding the government accountable, and raising awareness and advocating for integrity in Iraq.

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