



**مركز البيان للدراسات والتخطيط**  
**Al-Bayan Center for Planning and Studies**

# **Practical Mechanisms to Combat Corruption in Iraq**

**Ghazwan Rafiq Awaid**



**Al-Bayan Center Studies Series**

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Al-Bayan Center pursues its vision by conducting independent analysis, as well as proposing workable solutions for complex issues that concern policymakers and academics.

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# Practical Mechanisms to Combat Corruption in Iraq

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Political will is considered the cornerstone for combating corruption and reducing its destructive effects on people's lives. If we assume that this will exists, then the question is what are the mechanisms or steps that we must take in the short and long term to combat corruption in Iraq? If we want to combat corruption in Iraq in a practical way, the mechanisms of accountability must have clear results for the public, the media, and civil society in a manner that reflects the interests of the citizens and achieve their aspirations.

This paper seeks to find solutions to these questions and others from a strategic perspective to combat corruption in Iraq. It is based on an objective diagnosis presented to those who have the political will to fight corruption from the legislative authority represented by the Council of Representatives and the executive authority headed by the Council of Ministers.

## **First: The system of oversight**

Regulatory entities in Iraq are either linked to the executive authority, the legislative branch, or they are independent but operate under the supervision of the Council of Ministers. If we take a closer look at those entities, we will find the following:

- The internal auditing and oversight authorities associated with a minister or the head of a state institution not affiliated with a ministry;
- The offices of the inspectors general associated with a minister or the head

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of an entity not affiliated with a ministry that performs inspections, auditing, investigations, and evaluations of performance. They are classified as supervisory entities which focus on the outcome, but sometimes they do prior oversight, like checking contracts before signing them. They are the entities a minister uses to supervise the ministry.

- The Federal Board of Supreme Audit which answers to the Council of Representatives oversees the work of the executive branch. It is also responsible for the audit of public funds wherever it exists and the performance of the entities under its control.
- The Commission of Integrity, which is an independent body explicitly mandated by the Constitution, is under the supervision of the Council of Ministers. It investigates cases of corruption under the supervision of the judiciary. It has some preventive roles in prosecuting illicit activities, and an educational role in spreading awareness of corruption, transparency, and accountability.
- Provincial councils have a supervisory role on the work of the governor, the entities under its control, and the work of entities operating inside the province.

It is obvious that the Council of Ministers has no supervisory role over the work of ministries and bodies and entities not affiliated with a ministry, even though it is authorized within the constitution to do so. The office of the inspector general in a ministry, for example, is linked to the minister, and it cannot take any effective actions against corruption without the approval of the minister. The minister has control over the staff of the office of the inspector general and can transfer the staff to and from the office. In order to activate the oversight role of the prime minister and empower the Council of Ministers in planning

and implementing the general policy of the state and enable the office of the inspector general to carry out its functions independently and professionally, this paper proposes to link the system of inspectors general to the prime minister to form subsequent administrative control over the ministries and the entities not affiliated with a ministry.

The paper also proposes to divide the work of the offices of the inspectors on a sectoral basis, in line with the sectoral work of the Federal Board of Supreme Audit. There are 22 ministries in Iraq, all of which have offices of the inspector general, and 35 entities not affiliated with ministries, 14 of which have offices of inspectors general and 21 do not – most notably, the Central Bank, National Investment Commission, National Security Agency, Border Port Commission, Independent High Electoral Commission, High Commission for Human Rights, Federal Board of Supreme Audit, and the Commission of Integrity, as well as the absence of the offices of inspectors general in the governorates. To enable the offices of inspectors general to perform their oversight role over the local governments, this requires the Council of Representatives to legislate the law of the offices of inspectors general and ensure that they are linked to the Council of Ministers. The Council of Representatives must reduce the number of the offices of inspectors general to 16 to be similar to the structure of the Federal Board of Supreme Audit.

**Second: Selection of senior bureaucrats (director generals and above)**

We cannot talk about reform, strategic planning, or programming without selecting leaders characterized with integrity and efficiency and hold them accountable for the plans and the objectives they manage. These objectives must be achievable, ambitious, measurable, and time-bound. There are two issues in the selection of senior bureaucrats: First, the absence of clear and specific criteria

for their selection. There are more than 5,000 officials in the in senior ranks – director generals and deputy ministers. The second issue is the evaluation of these individuals. The current approach is that they must not have any charges of corruption against them, and there are no suspicions of corruption leveled against them in general. This is an inaccurate standard because officials must be held accountable for their performance. Therefore, we propose the formation of the Federal Public Service Council, whose law has been enacted since 2009 but not formed yet. We also suggest accelerating the development of professional and specific criteria for the selection of senior bureaucrats by the Council of Ministers and make them publicly available. The ministries, entities not affiliated with a ministry, and the provinces must be obligated to implement these criteria within a specified period.

### **Third: the ministerial platform of the government**

It is assumed the government has a clear vision of what it wants to do, and governments usually develop executive programs to achieve their vision. In this context, the Iraqi Constitution requires the prime minister to submit a ministerial program to the Council of Representatives for approval. Previous governments during the 2006-2018 period submitted their programs but they were visions that were too general and theoretical and were not been translated into practical programs. The program is usually referred to as the government program, but this is not accurate. The ministerial program is a roadmap for the government and the government program outlines the projects that the government is committed to implementing to achieve the ministerial program. The current government made a clear distinction between these terms. The ministerial program and an appendix (preliminary draft of the ministries' programs) were presented to the Council of Representatives which voted to pass the program. The government introduced a government program translating the ministerial mandate into projects that are

distributed to ministries and entities not affiliated with a ministry. It named the entities responsible for implementation, and the period of completion in the form of measurable and follow-up tables. This helps in holding the ministries and entities not affiliated with a ministry accountable. This action will be positive if the prime minister monitors these entities and the way they perform their tasks. The other positive aspect is the composition of formation of a parliamentary Strategic Planning Committee and the Follow-up of the Government Program. This committee will work to monitor and evaluate the implementation of the government program provided that they are professional in implementing their role.

If we examine the ministerial program, we will find it contains five agendas: security and democracy, finance and economy, development and social services, reconstruction and infrastructure, government performance and administrative reform. Several remarks have been identified, the most important of which is related to the fifth agenda entitled in the content, services and human and community development while the main title was government performance and administrative reform. The difference was not only in the title but also radically different in the content. This may be a result of the lack of time the prime minister has because of the pressure of selecting the new cabinet.

Beyond combating corruption, the first agenda about security and democracy contains a special section on combating corruption, most of which were public matters such as supporting and strengthening the oversight entities. The fifth agenda on government performance and management reform did not contain any clear vision about combating corruption but included five priorities for e-governance issues, improvement of institutional performance, legislative reform, improving Iraq's position in the classification of budget transparency, and the development of a policy to rationalize the consumption of electricity.

This is not a real vision to fight corruption. The biggest problem is that when the government program was issued 100 days after the ratification of the ministerial program, the government did not avoid the mistakes mentioned above. We recommend adopting a national anticorruption strategy for the period (2019-2022). We also propose the establishment of a clear and specific methodology in the preparation of the ministerial program and the government program for future governments, taking advantage of positive and negative experiences of previous governments in prioritizing government action to achieve citizen satisfaction.

#### **Fourth: The National Strategic Plans and the Plans of Ministries and Entities not Affiliated with a Ministry**

Ministries and entities not affiliated with a ministry operate according to the laws governing their work. They may participate in accomplishing some of the joint tasks. The strategic plans are divided into two types: First, national plans which more than one entity works on to achieve its objectives, such as the National Development Plan and the Sustainable Development Plan,. The second is the strategic plans of the ministries and entities not affiliated with a ministry, which are internal plans for these entities. After reviewing Iraq's experience, we note the absence of a central body that monitors the national sectoral strategic plans. Most of the strategic plans, whether national plans or strategic ministries' plans are not bound by a government time in office. These plans include the National Development Plan, Education, and Higher Education Plan, Private Sector Development Plan, etc. We suggest paying more attention to the time needed to complete these plans, and they should be planned to be completed during the term of the government. We suggest forming a team linked to the prime minister or assigning a specific entity linked to the prime minister to follow up the national plans and the strategic plans of the institutions and report to the prime minister. The role of the Commission of Integrity, the Federal Board of



Supreme Audit, and the offices of inspectors general must be activated to prepare evaluation reports on the strategic plans, both national and private, and submit them for discussion to the Council of Ministers.