



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

# Assessing the Integrity System in Iraq: A Practical Roadmap

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By: Ghazwan Rafiq\*

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Governments and international organizations around the world are developing mechanisms to diagnose and identify corruption, with the aim of developing appropriate methods and programmes to combat or prevent corruption in the different sectors of the country. In line with these aims, Transparency International has developed a model to measure the state's ability to fight corruption by assessing its national integrity system, and its adoption as a practical tool to assess the anti-corruption system by identifying the strengths and weaknesses of the state in both legal and practical ways in order to put in place appropriate solutions to strengthen the country's system against corruption.

This research paper aims to develop a practical roadmap for assessing the national integrity system in Iraq by the Iraqi government itself by introducing a national integrity system model and identifying the components of the model and the methodology used in its assessment, and to develop a practical general framework to assess the ability of the anti-corruption system in Iraq to confront or reduce corruption.

## **First: A general definition of the national integrity system**

A model for assessing the capacity of the state system to tackle corruption – an assessment of the anti-corruption system - developed by Transparency International<sup>1</sup> in 2001, with a view to assessing the capacity of key governance

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1. Transparency International is an international non-governmental organization (NGO) founded in 1993 by the former director of the World Bank, the German lawyer Peter Eigen, with a General Secretariat in Berlin, Germany, and has branches (known as national chapters) in more than 100 countries worldwide. It became well known for producing corruption indicators, including the Corruption Perceptions Index, the Global Corruption Barometer, the Bribe Payers Index (BPI). Transparency International defines corruption as “the abuse of entrusted power for private gain”. The organization has assessed the national integrity system of more than 100 countries in collaboration with civil society organizations in those countries. tional and the Lebanese Centre for Studies (2009).

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institutions, public sector bodies and non-state actors in the country of performing their roles in combating corruption and promoting good governance at the legal level (regulatory laws) and on the practical level (the actual institutional practices), and identifying their strengths and weaknesses. An assessment of the national integrity system is an important measurement tool representing an integrated approach for the diagnosis of corruption. It also expresses a comprehensive operational vision to combat corruption<sup>2</sup>, providing a comprehensive assessment system for all issues and areas related to governance, including:

- Institutional framework (government organs and departments);
- Legal framework (legislation that protects citizens against abuse of power and prevents the spread of corruption);
- Public policies (strategies and development plans which take into account the interests of citizens of all classes);
- Media, civil society, and the private/business sector.

The national integrity system broadens the horizontal accountability base so that authority is not monopolised in any one hand, and so that everyone who holds public office becomes personally responsible and accountable for his work. In effect, each party within the system acts as both observer and watchdog. It is a system that transitions from vertical accountability existing under oppressive regimes ruled by a dictator or by a single party to a horizontal accountability system based on a multiplicity of oversight and accountability institutions that prevent the abuse of power.

The national integrity system comprises three elements as explained below<sup>3</sup>:

1. **The Base**: represents the foundation or the base underpinning the system, namely, public awareness and social values.

2. **The Pillars**: they are the elements or components of the national integrity

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2.A group of authors, “The Arab Integrity System in the Combat of Corruption”, published by Transparency International and the Lebanese Centre for Studies (2009).

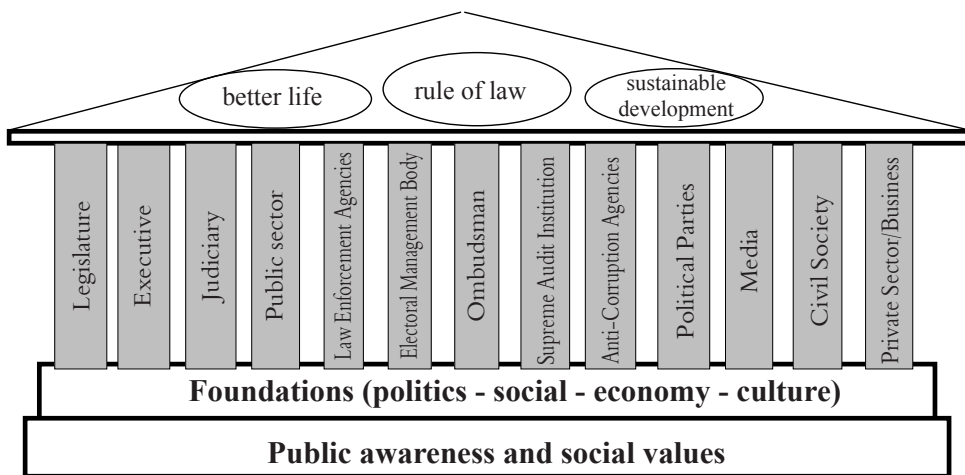
3.An Assessment of the National Integrity System in respect of Egypt, Lebanon, Jordan, Libya, Morocco and Tunisia, published by Transparency International in cooperation with the European Union and local civil society organizations working in these countries.

system on which the roof of the system rests, and despite the differences between one society and another in the type of pillars that represent the cornerstones of each respective system, there is a specific number of commonly shared pillars, that number being 13. The integrity system pillars represent the heart of the system and are subject to assessment in three categories:

- The main institutions of government: the three branches of the state (legislative, executive, judicial);
- Governmental agencies: they represent the main governmental institutions in the country that play fundamentally important roles in the fight against corruption and prevention including the public sector, law enforcement agencies, the electoral commission, the ombudsman, the supreme audit institution and anti-corruption agencies;
- Non-governmental actors: They are the players that have an influence on the state system and include political parties, the media, civil society and the private sector.

3. **The integrity roof:** this represents the objectives of the National Integrity System and includes securing a better life, the rule of law and sustainable development of the community represented by three domes that sit atop the roof.

Combining these components produces the following structure:



Public awareness and social values constitute the fundamental platform upon which the pillars rest and provide them with additional strength. In the absence of awareness and with weak values, the structural foundations will become weak and the pillars fragile and unable to carry the roof which represents national integrity. Each pillar is independent of the other, with its own particular strength. Any weakness in any one of the pillars will increase the weight or pressure bearing down on the other pillars. Should several pillars become weak simultaneously, then the whole structure will tilt and the aims and objectives of the system of national integrity will collapse.

**Secondly: How the national integrity system is assessed**

The national integrity system is assessed by scoring each of the system’s 13 pillars on the basis of three dimensions with each dimension containing a set of indicators<sup>4</sup> according to the following table:

<b>Dimensions</b>	<b>Indicators (law and practice)</b>
<b>Capacity</b>	<b>Resources</b>
	<b>Independence</b>
<b>Governance</b>	<b>Transparency</b>
	<b>Accountability</b>
	<b>Integrity</b>
<b>Role in the context of the integrity system</b>	<b>Specific indicators for each pillar according to its predefined tasks</b>

Each indicator is given a score of between 0 to 100 in relation to its legal framework - legal regulatory instruments that have been enacted - and similarly as regards being put into actual practice - whereby one question is assigned to each indicator supported by a number of guiding questions.

An assessment of each pillar is conducted by a minimum of two persons. At

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4. Studies into the National Integrity System in respect of Egypt, Lebanon, Jordan, Libya, Morocco and Tunisia, published by Transparency International in cooperation with the European Union and local civil society organizations working in these countries.

least one person represents the pillar being assessed, in other words he/she works for the organisation represented by the pillar. The other person is an expert on the subject matter of the pillar from outside the pillar. The assessment is based on a graded scoring system of between 0 to 100 points, calculated cumulatively by increments of 25 points, meaning that there will be five possible values (0, 25, 50, 75, 100). Afterwards, the scores for each pillar of the integrity pillars are added up to determine and to obtain an indication of the strength of the pillar in the system. The strength of the pillar is then classified according to the score it gained. A pillar is classified as very strong if it gained a score of between 81-100; strong for a score of between 61-80; average for a score of between 41-60; weak for a score of between 21-40, and very weak for a score of between 0-20

### **Thirdly: A general framework for the assessment of Iraq's integrity system**

In this section, the national integrity system model will be adapted in a manner suited to the state of affairs in Iraq; suitable to the requirements of Iraq's constitution and the laws in force at the time, and in consonance with the nature of the work carried out by Iraq's institutions. This will be achieved by defining each pillar of the national integrity system – the pillars that have a role in combating corruption – in accordance with the current system in Iraq. In addition, assessment indicators vary from one pillar to another according to the tasks assigned to it as demonstrated below:

#### 1. The Legislature (Iraqi Council of Representatives / Provincial and Regional Councils)

- Legislation (legal reforms to combat corruption)
- Monitoring the performance of the executive authority

#### 2. Executive authority (Presidency / Council of Ministers / Governors)

- Management of the civil service departments and the public sector (the exercise of administrative and governmental activities)
- Participation in the fight against corruption (the establishment of a general policy to combat corruption)

3. The Judicial Authority (Supreme Judicial Council / Federal Supreme Court / Federal Court of Cassation / Public Prosecution Service/ Judicial Supervisory Authority)

- Supervising the work of the executive and legislative authorities
- Investigation and prosecution of cases of corruption

4. Public sector (government departments and the public sector - ministries and non-governmental agencies)

- Cooperation with government institutions, civil society organizations and the private sector to prevent corruption

- Informing individuals and making them aware of their role in the fight against corruption

- The exercise of internal administrative control
- Reduce the risk of corruption through procurement integrity

5. Law enforcement agencies (security institutions)

- Pursuit of the corrupt and carrying out the sentences of the courts against them

- Cooperation with anti-corruption bodies

6. Electoral Management Body (Independent High Electoral Commission)

- Regulating political campaigning
- Election management
- Analysing and announcing election results

7. The Ombudsman (there is no institution in Iraq called the ombudsman, but there is an institution that carries out a task similar to that of the ombudsman, namely the High Commission for Human Rights)

- Investigation of complaints and making recommendations



- Supporting and promoting good practices

8. Supreme Audit Institution (Federal Board of Supreme Audit)

- Effective financial auditing and controls over spending of public funds wherever it maybe

- Detect and report cases of corruption
- Evaluation of institutional performance
- Improving financial management

9. Anti-Corruption Agencies (Commission of Integrity / Offices of Inspectors General)

- The role of the Commission of Integrity:

- Investigation of cases of corruption under the supervision of the judiciary
- Prevention of corruption (prosecution of graft)
- Spreading a culture of integrity, transparency and accountability

- The role of the offices of the Inspectors General:

- Review and audit the work of the ministry or agencies not affiliated to the ministry

- Receive and investigate complaints
- Conduct administrative investigations
- Referral of violations to criminal investigation bodies

10. Political parties

- Representing society
- Commitment to combating corruption

11. Media (Iraqi State Media Network and other media outlets)

- Investigation of cases of corruption and subjecting them to public opinion
- Acquainting the citizen with the dangers of corruption
- Educating citizens about the requirements of good governance

12. Civil society: (non-governmental organizations, scientific societies, professional bodies and trade unions)

- Accountability of the government
- Evaluation of policies, plans and programmes
- Educating society about the consequences of corruption

13. Private sector/Businesses

- Commitment to the fight against corruption and participating in the policy of combating it
- Supporting civil society

## **Conclusion**

In order to adopt a comprehensive reform programme at the state level in line with international experience, we propose that the National Integrity System in Iraq be assessed, being as it is a practical diagnostic tool that acts as a warning mechanism for decision-makers to identify the strengths and weaknesses in the system of governance and to provide the means to protect it against corruption, we propose that they proceed along the following lines:

1. Adoption of the National Integrity System by the highest administrative authority of the state, represented by the Council of Ministers, in order to evaluate the integrity system in Iraq by means of the model proposed in this study. An independent working team will be assigned to work in cooperation with experts and civil society organisations in order to ensure objective results. In addition, there will be a need to prepare the groundwork for the implementation of the assessment's recommendations as practical policies to combat corruption - for example preparing the necessary draft laws and sending them to the Council of

Representatives or identifying laws enacted but not enforced - as well as using the recommendations of the assessment as the basis for the launch of a national strategy to combat corruption for the coming years as a practical tool for the government in its fight against corruption.

2. The Council of Representatives legislates all the laws envisioned by the Iraqi constitution for the purpose of completing the legal framework of the state and to undertake legal reform, especially in relation to anti-corruption legislation that will be produced from the results of the assessment of the national integrity system of Iraq, as well as strengthening the oversight role of the Council of Representatives over the pillars of integrity, particularly the principal institutions of government and public sector bodies.

3. Making recommendations based on the findings of the assessment of Iraq's national integrity system and putting into practice plans and strategies in respect of the core state institutions.