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Freedom House

Freedom in the World 2020 - Iraq

Not Free

31

/ 100

[Political Rights](#) 17 / 40[Civil Liberties](#) 14 / 60

Last Year's Score & Status

32 / 100 Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Overview

Iraq holds regular, competitive elections, and the country's various partisan, religious, and ethnic groups enjoy some representation in the political system. However, democratic governance is impeded in practice by corruption and security threats. In the Kurdistan region, democratic institutions lack the strength to contain the influence of long-standing power brokers. Increasingly, Iran has been able to influence politics in Baghdad. Civil liberties are generally respected in Iraqi law, but the state has limited capacity to prevent and punish violations.

Key Developments in 2019

- Over 500 protesters were killed and 19,000 were injured in a violent crackdown on antigovernment protests in Baghdad and other cities that took place between October and December. Journalists covering the protests were also targeted by government security forces and allied nonstate militias.
- In early December, Prime Minister Adel Abdul Mahdi resigned, and parliament subsequently failed to meet a constitutional deadline to appoint a new prime minister. Mahdi was serving in a caretaker capacity at year's end.
- Late in December, Parliament approved a wide-reaching slate of electoral reforms in response to protesters' demands. The changes are expected to benefit independent political candidates and reduce the power of political parties, which protesters and other critics denounce as corrupt and self-serving.
- Reconstruction of areas liberated from the Islamic State (IS) militant group's control continued throughout the year. However, over 1.4 million Iraqis remained internally displaced as of December, and the threat of terrorism persisted.
- Nechirvan Barzani of the Kurdistan Democratic Party (KDP) was sworn in as president of the semiautonomous Kurdistan region in June, after serving as prime minister. The presidency had been vacant since Masoud Barzani, Nechirvan's uncle, resigned after the 2017 independence referendum.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through 2 / free and fair elections? 4

After national elections, the Council of Representatives (CoR) chooses the largely ceremonial president, who in turn appoints a prime minister nominated by the largest bloc in the parliament. The prime minister, who holds most executive power and forms the government, serves up to two four-year terms. The national elections held in May 2018 were generally viewed as credible by international observers, despite low turnout and allegations of fraud, which was particularly prevalent in the Kurdish provinces and neighboring Kirkuk. That October, after a five-month delay, the new CoR chose Kurdish politician Barham Salih as president, and Adel Abdul Mahdi, a Shiite independent, was appointed as prime minister.

In December 2019, following months of protests, Adel Abdul Mahdi submitted his resignation to the parliament, which accepted it; he was to stay on as part of a caretaker government until a replacement was appointed. In the last week of December, the parliament failed to meet a constitutional deadline to appoint a new prime minister.

The Kurdistan Regional Government (KRG), composed of Iraq's northernmost provinces, is ostensibly led by a president with extensive executive powers. The draft Kurdish constitution requires presidential elections every four years and limits presidents to two terms. However, after eight years as president, Masoud Barzani of the KDP had his term extended by two years in a 2013 political agreement with another party, the Patriotic Union of Kurdistan (PUK). In 2015, Barzani unilaterally prolonged his term by another two years, which was met with condemnation by opposition leaders. Barzani remained in office until November 2017, finally resigning after he organized an unauthorized September referendum on Kurdish independence that prompted the Iraqi central government to reassert control over the region's international borders and all territory occupied by Kurdish forces since the IS offensive in 2014.

After Barzani stepped down, the presidency remained vacant, and executive power was held by Prime Minister Nechirvan Barzani, his nephew. After the Kurdish parliamentary elections in September 2018, the KDP nominated Nechirvan Barzani to become president and Masrour Barzani—Masoud Barzani's son—to serve as prime minister. In May 2019, Nechirvan Barzani was elected president by the Iraqi Kurdish parliament and sworn in in June, after the position had been vacant for nearly two years. Masrour Barzani was appointed and sworn in as prime minister in June. Both Barzanis, the president and prime minister, are from the KDP party.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair 3 / elections? 4

The 329-member CoR has been elected every four years from multimember open lists in each province, though a reform package approved in December 2019 significantly changed the framework for future polls. The May 2018 elections, held under the party-list system, were generally viewed as credible by international observers, despite some allegations of fraud. Reported irregularities in the new electronic voting system prompted the CoR to pass a law mandating a recount. During the recount, a storage facility containing many ballots caught fire, further undermining public trust in the process. The completed recount did not significantly alter the results. The Sairoon alliance, led by Shiite cleric Moqtada al-Sadr, won the most seats with 54, followed by the Conquest coalition led by Hadi al-Amiri with 48, outgoing prime minister Haider al-Abadi's Victory alliance with 42, and the State of Law coalition headed by former prime minister Nouri al-Maliki with 25. The top four alliances were all led by Shiite parties, though they made varying efforts to reach across sectarian lines. Among the several Kurdish parties, the KDP won 25 seats and the PUK won 19. The remaining seats were divided among Sunni-led coalitions, smaller parties, and independents.

Following repeated delays, provincial council elections originally scheduled for 2017 were postponed indefinitely by the CoR in November 2019. Kirkuk, the subject of a dispute between the KRG and the central government, has not held provincial council elections since 2005.

In the Kurdistan region, the 111-seat Kurdistan Parliament is elected through closed party-list proportional representation in a single district, with members serving four-year terms. The September 2018 elections, originally due in 2017, resulted in the governing KDP increasing its plurality to 45 seats. The PUK received 21 seats, Gorran took 12, and several smaller parties and minority representatives accounted for the remainder. The elections were plagued by fraud allegations and other irregularities, and Gorran and other smaller parties rejected the results.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the 3 / relevant election management bodies? 4

The Independent High Electoral Commission (IHEC) is responsible for managing elections in Iraq. The IHEC generally enjoys the confidence of the international community and, according to some polls, the Iraqi public. It faced criticism in 2018 from opposition leaders and outgoing prime minister Haider al-Abadi over its handling of electronic voting challenges and the subsequent recount, but international organizations praised the body for its professionalism and impartiality.

Under electoral reforms approved in December 2019, each of the country's 18 provinces would be divided into a number of new electoral districts, with one legislator elected for every 100,000 people. The reforms moreover abolished the existing party-list voting system and replaced it with one in which voters select individual candidates from the new districts, which at year's end had yet to be delineated. It was unclear how that procedure would commence in the absence of recent census data, as a national census has not been conducted since 1987; this lack of current data had already resulted in skewed parliamentary seat allocations.

The Kurdistan Independent High Electoral and Referendum Commission (IHERC) administers elections in the Kurdistan region. In addition to the 2018 legislative balloting, the IHERC conducted the 2017 independence referendum, in which 93 percent of voters favored independence, though the exercise—which was not monitored by international observers—was allegedly marred by intimidation and fraud.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles 3 / to the rise and fall of these competing parties or groupings? 4

The constitution guarantees the freedom to form and join political parties, with the exception of the pre-2003 dictatorship's Baath Party, which is banned. A 2016 law strengthened the ban, criminalizing Baathist protests and the promotion of Baathist ideas. The measure applies to any group that supports racism, terrorism, sectarianism, sectarian cleansing, and other ideas contrary to democracy or the peaceful transfer of power. Individual Iraqis' freedom to run for office is also limited by a vague "good conduct" requirement in the electoral law.

In practice, Iraqis can generally form parties and operate without government interference. Party membership and multiparty alliances shift frequently. The IHEC registered 205 parties for the 2018 elections, reflecting both a relatively open political environment and deep fragmentation.

The electoral reforms approved in late 2019 in response to protesters' demands are expected to make independent candidacies more viable.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power 3 / through elections? 4

Elections are competitive, but most parties are dominated by one sectarian or ethnic group, meaning large and established parties representing the Shiite majority have tended to govern, and minority groups have only gained power as part of a cross-sectarian party or bloc. A number of new parties that are more secular and national in orientation participated in the 2018 elections, but Shiite parties continued to play the leading role. The strong performance of the newly formed Conquest coalition, which finished second, raised some concerns due to its inclusion of members associated with the Popular Mobilization Forces (PMF)—state-sponsored militia groups that fought against IS

and have been accused of war crimes and Iranian ties. The former ruling party, Dawa, was split between the State of Law and Victory coalitions led by former prime ministers al-Maliki and al-Abadi, respectively, which created an opening for other lists like Sairoon and Conquest to gain seats and influence government formation. The transfer of power to the new prime minister proceeded far more smoothly than in 2014, when al-Maliki stepped down only after intense domestic and international pressure.

In the Kurdistan region, the traditional dominance of the KDP and the PUK was for a time challenged by the rise of the reformist group Gorran, but the repeated postponement of presidential and legislative elections before 2018 allowed entrenched interests to remain in power. Although the damaging crisis that followed the 2017 independence referendum appeared to threaten the KDP's electoral prospects, it ultimately retained its leading position in the 2018 legislative elections, while the PUK replaced Gorran as the second-largest party in the Kurdish parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The ability of IS to suppress normal political activity has waned significantly since 2017, when government forces successfully drove the group out of the territory it formerly controlled.

However, Iraq's political system remains distorted by interference from foreign powers, most notably Iran, which physically and politically threatens Iraqi policymakers who challenge its interests. The PMF have strong links to Iran, and dozens of figures associated with these militias ran in the 2018 elections and won seats in the CoR.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and 1 / other relevant groups) have full political rights and electoral opportunities? 4

Despite legal and constitutional measures designed to protect the political rights of various religious and ethnic groups, the dominant role of ethno-sectarian parties and the allocation of key offices according to informal religious or ethnic criteria reduce the likelihood that politicians will act in the interests of the whole population.

Sunni Arabs, the largest ethno-sectarian minority, are represented in the parliament but often argue that the Shiite majority excludes them from positions of real influence. The presidency and premiership are reserved in practice for a Kurd and a Shiite; the position of parliament speaker goes to a Sunni. Muhammad al-Halbusi was named speaker in September 2018.

A system of reserved seats ensures a minimum representation in the CoR for some of Iraq's smaller religious and ethnic minorities. There are five seats reserved for Christians and one each for Fayli Kurds (added in 2018), Yazidis, Sabean Mandaean, and Shabaks. The Kurdish parliament reserves five seats for Turkmen, five for Christians, and one for Armenians. The political rights of minorities have been severely impeded by widespread displacement from formerly IS-occupied areas. Although polling stations were set up at encampments for the country's nearly two million internally displaced people (IDPs), in May 2018 the parliament voted to annul the votes of IDPs due to fraud claims.

The CoR and the Kurdish parliament reserve 25 percent and 30 percent of their seats for women, respectively, though such formal representation has had little obvious effect on state policies toward women, who are typically excluded from political debates and leadership positions. LGBT+ people are unable to enjoy equal political rights in practice due to harsh societal discrimination, and the main political parties do not advocate for the interests of LGBT people in their platforms.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives 1 / determine the policies of the government? 4

Several factors, including irregular Kurdish occupation of some areas and extensive Iranian influence, have hindered the ability of elected officials to independently set and implement laws and policies. The United States and its allies also exert some policy influence through their support for

Iraqi security forces and other state institutions. Iraq's fragmented politics can lead to gridlock and dysfunction, as demonstrated by the protracted negotiations on government formation following the May 2018 elections. At the end of 2019, Iraq's government was facing an unresolved political crisis as mass protests continued, and as lawmakers had proven unable to select an interim prime minister.

In the KRG, Masoud Barzani effectively suspended the parliament in 2015 after the speaker and many members opposed his extended presidential mandate. Although the parliament reconvened ahead of the independence referendum in 2017, some parties boycotted the session, and the executive governed without a legislature for most of the year. Separately, Kurdish lawmakers boycotted the CoR for several weeks in late 2017 amid the referendum crisis. The Kurdish legislature that was elected in September 2018 has met, but tension was still high between the KDP and PUK, and a government had not yet formed as of December. The office of president that remained vacant since Masoud Barzani stepped down in November 2017 was filled by his nephew Nechirvan Barzani in June 2019, and the Iraqi Kurdish cabinet has been filled.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 0 / 4

Corruption remains a major problem in Iraq, and was a key contributor to the protest movement in Baghdad and other cities that erupted in 2019. Political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts, while whistle-blowers and investigators are subject to intimidation and violence. The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies. The KRG suffers from similar corruption problems.

C3 0-4 pts

Does the government operate with openness and transparency? 1 / 4

A few policies that promote openness have been adopted, including rules requiring public officials to disclose their assets, but the government does not generally operate with transparency. The CoR debates the budget, and interest groups are often able to access draft legislation. However, security conditions make elected representatives, who usually live and work in a restricted part of the capital, relatively inaccessible to the public. The public procurement system is nontransparent and corrupt, with no legal recourse available for unsuccessful bidders. The oil and gas industry also lacks transparency, and the government has failed to make adequate progress in meeting its commitments to the Extractive Industries Transparency Initiative. The government has not yet passed a comprehensive law on access to information.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of -1 another group?

IS's loss of territorial control in 2017 largely halted its campaign to alter religious demography, though many Shiite Muslims and religious minorities who were displaced by the group remain unable to return to their homes, for both security and economic reasons. Iraqi government forces' return in late 2017 to territories held by Kurdish militias since 2014 resulted in another round of demographic changes in those areas, with some Kurdish residents leaving and displaced Arabs returning. There have also been reports of Sunni Arabs being displaced from areas liberated from IS by Shiite militias. As of December 2019, approximately 4.6 million Iraqis displaced by the IS offensive in 2014 had since returned to their home regions, while another 1.4 million people remained internally displaced.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 1 / 4

The constitution allows limits on free expression to preserve "public order" and "morality." Iraq's media scene appears lively and diverse, but there are few politically independent news sources. Journalists who do not self-censor can face legal repercussions or violent retaliation.

Two journalists were killed in 2019, according to the Committee to Protect Journalists (CPJ). Hisham Fares al-Adhami, a reporter and camera operator, was shot and killed while covering a protest in Baghdad in October, with his colleagues attributing his death to sniper fire. Photographer and camera operator Ahmed Muhana al-Lami died after being shot in the back while covering a protest in Baghdad in December.

Journalists continued to face threats over their coverage in 2019, including by appearing on online lists of disfavored journalists that were circulated by anonymous social media accounts; a number of journalists fled Baghdad after their names appeared on such lists. Other journalists have been personally threatened over their reports.

Media outlets faced restrictions and obstruction in response to their coverage in 2019. In September, the US-funded Al-Hurra broadcast network was suspended for three months over an August investigative report they published on corruption within both Sunni and Shiite religious organizations responsible for maintaining religious sites. Journalists covering the year's antigovernment protests were obstructed and threatened by security forces. In October, the offices of four media networks were raided by unidentified men wearing masks and black uniforms.

According to media watchdogs, over 200 incidences of threats, harassment, and legal action were taken against journalists working in 2019 in the Kurdish region.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public 1 / and private? 4

The constitution guarantees freedom of belief, but in practice many Iraqis have been subjected to violence and displacement due to their religious identity, and places of worship have often been targets for terrorist attacks. Blasphemy laws remain on the books, although enforcement is rare. A religious conversion law passed in 2015 discriminates against non-Muslims by automatically designating the children of a parent who has converted to Islam as Muslim, even if the other parent is a non-Muslim. Restaurants serving alcohol and liquor stores have faced harassment and attack, further eroding religious freedom.

Most political leaders expressed support for religious pluralism after IS's defeat, and Sunnis living in liberated areas have largely been able to practice their religion freely since.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political 1 / indoctrination? 4

Educators have long faced the threat of violence or other repercussions for teaching subjects or discussing topics that powerful state or nonstate actors find objectionable. The country's official curriculum is often augmented in the classroom by religious or sectarian viewpoints.

Political activism by university students can result in harassment or intimidation.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics 2 / without fear of surveillance or retribution? 4

Social media posts on controversial topics sometimes result in retribution. Certain topics including corruption, and, to a somewhat lesser extent, criticism of Iran, are considered to be off limits. A number of private citizens involved in the 2019 protests, including at least one minor, were apparently abducted, with their whereabouts unknown at year's end.

Political speech in the Kurdistan region can also prompt arbitrary detentions or other reprisals from government or partisan forces.

E Associational and Organizational Rights

E1 0-4 pts**Is there freedom of assembly? 0 / 4**

The constitution guarantees freedom of assembly, but protesters are frequently at risk of violence or arrest, and these dangers became acute during the 2019 protest movement. Security forces used curfews, tear gas, and live ammunition to suppress the demonstrations that began in October against corruption, poor infrastructure and government services, and high unemployment in Baghdad and other cities in the south. On a single day in Baghdad in December, according to estimates published by Human Rights Watch (HRW), at least 29 and possibly as many as 80 people were killed by attackers the group described as "unidentified armed forces," apparently acting "in cooperation with Iraqi national and local security forces." By mid-December, some 19,000 people had been injured during the protests, and at least 500 were killed, according to the United Nations special envoy to Iraq. Iraqi security officials and journalists reported that snipers under the command of Iranian-backed militia units had used live ammunition to shoot at protesters from rooftops.

Authorities also reacted to the movement by periodically shutting down the internet in many regions for several days, followed by a targeted restriction of access to social media platforms including WhatsApp, Twitter, and Facebook. The move was intended to curb the protests and stanch online criticism of the government.

Score Change: The score declined from 1 to 0 due to security forces' widespread use of lethal violence against antigovernment protesters in the last quarter of the year.

E2 0-4 pts**Is there freedom for nongovernmental organizations, particularly those that are 2 / engaged in human rights- and governance-related work? 4**

Nongovernmental organizations (NGOs) enjoy societal support and a relatively hospitable regulatory environment, though they must register with the government and obtain approval from the commission responsible for suppressing Baathism to operate. In the Kurdistan region, NGOs must renew their registration annually.

In late 2019, a number of antigovernment activists were kidnapped as the protest movement continued. There were also reports of activists' assassinations, including the killing of prominent civil society figure Fahem al-Tai in November.

E3 0-4 pts**Is there freedom for trade unions and similar professional or labor organizations? 2 / 4**

Labor laws allow for collective bargaining (even by nonunionized workers), protect the rights of subcontractors and migrant workers, and permit workers to strike, among other features. However, public-sector workers are not allowed to unionize, there is no legal prohibition against antiunion discrimination, and workers do not have access to legal remedies if fired for union activity. Some state officials and private employers discourage union activity with threats, demotions, and other deterrents.

F Rule of Law**F1 0-4 pts****Is there an independent judiciary? 0 / 4**

The judiciary is influenced by corruption, political pressure, tribal forces, and religious interests. The lines between the executive, legislative, and judicial branches are frequently blurred, and executive interference in the judiciary is widespread. Due to distrust of or lack of access to the courts, many Iraqis have turned to tribal bodies to settle disputes, even those involving major crimes.

F2 0-4 pts**Does due process prevail in civil and criminal matters? 0 / 4**

Criminal proceedings in Iraq are deeply flawed. Arbitrary arrests, including arrests without a warrant, are common. Terrorism cases in particular have been prone to fundamental violations of due process, with human rights groups describing systematic denial of access to counsel and short, summary trials with little evidence that the defendants committed specific crimes other than

association with IS. In 2018, some trials of suspected IS members that resulted in death sentences lasted as little as 20 minutes, and hundreds of family members of suspected IS fighters have been arbitrarily detained.

Several senior military commanders were removed from their posts in October 2019 following a violent crackdown on protesters. The actions were rejected by many Iraqis as inadequate, and, given the bloodshed that continued throughout the rest of the year, had little deterrent effect on members of the security forces.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war 1 / and insurgencies? 4

The end of large-scale combat with IS significantly improved the security environment. Though the organization remained active as a clandestine terrorist group in 2019, it no longer controlled Iraqi territory or civilian populations, and its ability to operate was diminished.

The use of torture to obtain confessions is widespread, including in death penalty cases. In 2018, the government continued to expedite executions of those convicted of terrorism. Detainees are often held in harsh, overcrowded conditions, and forced disappearances, particularly of suspected IS fighters, have been reported.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the 0 / population? 4

Women face widespread societal bias and discriminatory treatment under laws on a number of topics. Sexual harassment in the workplace is prohibited, but it is reportedly rare for victims to pursue formal complaints.

Members of a given ethnic or religious group tend to suffer discrimination or persecution in areas where they represent a minority, leading many to seek safety in other neighborhoods or provinces. Same-sex sexual relations are not explicitly prohibited, but LGBT people risk violence if they are open about their identity. People of African descent suffer from high rates of extreme poverty and discrimination.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place 1 / of residence, employment, or education? 4

Freedom of movement improved somewhat as areas formerly controlled by IS were brought back under government control. However, large-scale destruction of housing and infrastructure, the presence of sectarian or partisan militias, and the ongoing threat of violence made it difficult for many displaced people to return home. Almost 1.4 million Iraqis remained internally displaced as of December 2019.

The movement of women is limited by legal restrictions. Women require the consent of a male guardian to obtain a passport and the Civil Status Identification Document, which is needed to access employment, education, and a number of social services.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private 1 / businesses without undue interference from state or nonstate actors? 4

Iraqis are legally free to own property and establish businesses, but observance of property rights has been limited by corruption and conflict. Business owners face demands for bribes, threats, and violent attempts to seize their enterprises. Contracts are difficult to enforce. Women are legally disadvantaged with respect to inheritance rights and may face pressure to yield their rights to male relatives.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Forced and early marriages are common, especially in the context of displacement and poverty. Nearly one in four Iraqi women aged 20 to 24 were married by age 18, and marriage between 15 and 18 is legal with parental approval. Laws on marriage and divorce favor men over women. Domestic violence is criminalized but widespread and rarely prosecuted. Rapists can avoid prosecution if they marry their victims; spousal rape is not prohibited. The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice.

Both men and women face pressure to conform to conservative standards on personal appearance. A number of high-profile women associated with the beauty and fashion industries were murdered in 2018, including Tara Fares, a social media star who was shot dead in Baghdad in September. The assailants remain unknown, but the government blamed extremist groups for the murders.

G4 0-4 pts**Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4**

After the military defeat of IS, many Yazidi women who had been forced into sex slavery remained missing. Exploitation of children, including through forced begging and the recruitment of child soldiers by some militias, is a chronic problem. Foreign migrant workers frequently work long hours for low pay, and they are vulnerable to forced labor. Human trafficking is also a problem, and IDPs are particularly vulnerable. Thus far, the government's efforts to enforce trafficking laws have been inadequate.

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