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THE INTERNET AND CORRUPTION
Transparency and accountability online



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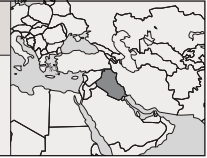
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IRAQ

TWO CASES OF CORRUPTION IN A NATION DIVIDED



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Introduction

Iraq is divided into two administrative zones: the semi-autonomous Kurdish north with its own regional government, and the rest of the country ruled from Baghdad. Corruption in Iraq should therefore be examined from two sides. By focusing on two recent developments – the increasing difficulties faced by the Commission of Integrity (COI) as a national body that tackles corruption and the apparent suicide of Zana Hama Salih, the former mayor of Sulaimaniyah in Iraqi Kurdistan – we can better understand the pervasive nature of corruption in Iraq at both national and regional levels as well as the problems in using ICTs to fight corruption.

With regards to ICTs, for the COI, the Commission has established an online system whereby ordinary citizens can report on corruption they have witnessed. In the case of Mayor Salih, his death comes in the wake of Kurdistan's version of the Arab Spring, with some of the country's online and social media now speculating about alleged official involvement in his death.

In 2011 the Transparency International Corruption Perceptions Index ranked Iraq 175 out of 182 countries evaluated.¹ The new ranking was a slight improvement over previous years, with the country having been annually placed within the bottom five nations from 2006 to 2010.² Iraq is now tied in the eighth spot with Haiti.

Iraq's Commission of Integrity was established in 2004 as an independent governmental body with the primary purpose of fighting corruption on a national level. Formerly named the Commission on Public Integrity, the body was created by the dissolved Coalition Provisional Authority and enshrined in the Iraqi constitution.

Since its founding, however, the COI has faced increasing levels of difficulties, from changing leadership and legal challenges to harassment and the bombing of its office in December 2011. The problems the COI faces reflect the pervasiveness of corruption

at all levels of society and its crippling effect on the country. As a national authority, the COI referred 1,088 cases of corruption to the courts in just the first three months of 2012.³ However, none of these cases were in Iraqi Kurdistan, which has its own regional government, judicial system and security forces.

Meanwhile, the mysterious death of the former mayor of Sulaimaniyah, Zana Hama Salih, while under arrest in April 2012, is a case study of corruption at the regional level, specifically in Kurdistan, outside Baghdad's control.

As these two case studies illustrate, Iraq faces a difficult if not perhaps untenable political position in the split between the Kurdish north and the rest of the country.

Two regions, but one pervasive corruption problem

The semi-autonomous Kurdish area was one of the by-products of the first Gulf War when the United Nations declared a no-fly zone across the north, providing the Kurds a measure of protection against Saddam Hussein's forces. Since the early 1990s, Kurdistan has been able to develop separately from the rest of Iraq, establishing its own armed forces and parliament, as well as judicial and political systems. With its huge energy reserves, Kurdistan is able to use its wealth to develop economically. Visitors to the region will be able to see gleaming towers, luxury cars and a mostly peaceful existence. Its regional capital Erbil aspires to be the next Dubai.⁴ In the years following the 2003 invasion by coalition forces, Kurdistan never saw the level of violence and civil war experienced in the rest of Iraq.

Across Iraq in 2006, during the height of the sectarian conflicts, an average of 2,382 people died each month from bombs, suicide attacks, gunshots and executions.⁵ Although violence still continues, there has been a huge decline in these deaths since 2006. iraqbodycount.org, which uses actual verifiable reports of non-combatant (civilian) deaths, lists only 300 people having died in a similar manner in the entire month of April 2012.⁶

1 www.transparency.org/research/cpi

2 www.transparency.org/research/cpi

3 www.iraq-businessnews.com

4 www.guardian.co.uk/commentisfree/2010/may/05/kurdistan-next-dubai-iraq

5 www.iraqbodycount.org/database

6 www.iraqbodycount.org/database

But corruption is now seen as rivalling terrorism in terms of a threat to the stability of Iraq. In February 2012, Iraqi Prime Minister Nouri al-Maliki announced that corruption within governmental circles is a threat equal to terrorism.⁷ In theory, therefore, al-Maliki should be seen as a supporter of the work performed by the COI. However, in practice, he has been at odds with the COI's leadership and agenda. Whether in the Kurdish north, Sunni Arab centre, or Shiite south, corruption is an endemic problem, and perhaps it will take the collective will of all the people to begin true reform.

Indeed, protests online and in the street against official corruption was one of the causes of Kurdistan's version of the Arab Spring in 2011. One of the primary gripes against the ruling tandem of the Kurdistan Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK), the two primary political parties in Iraqi Kurdistan, is that their hold on the political, economic and social fabric of the region is so strong that corruption is woven into the system.

The Commission of Integrity

At the national level, the work of the COI over the last seven years represents a mixed picture of successes and failures. The COI is potentially the greatest single entity that can stem corruption in Iraq with the help of ordinary citizens and the internet.

However, one of the biggest problems for using the internet to fight corruption is the fact that online access, while growing rapidly, is still only available to a small segment of the population in Iraq. The latest available data (2010) revealed that only 2.5% of the population uses the internet and an insignificant number of people have permanently wired broadband connections.⁸ It is likely that growth in internet usage would come from increasing mobile internet access via smartphones and portable devices, as Iraq lacks phone and cable lines common in other countries.

Despite this lack of access, the COI is not shy in encouraging citizens to report corruption. On its website, the COI lists email addresses and phone numbers for its many bureaus across the country (except for areas within Kurdistan).⁹

As mentioned above, the COI referred 1,088 cases to the courts in just the first three months of 2012. According to the COI's investigations in recent years, the Iraqi Defence Ministry had the most staff members accused of corruption while the Ministry

of Interior and Ministry of Municipalities and Public Works were second and third respectively.¹⁰

However, despite its many successes, the COI has been under assault from all quarters since its establishment in 2004. Its first leader, Judge Radhi Hamza al-Radhi, resigned in 2007 and took up political asylum in the United States after death threats and pressure from al-Maliki's office. His enemies deemed him too aggressive in pursuing suspected cases of corruption¹¹—under his administration, the COI had revealed numerous egregious incidents. In a report to the US Congress, for example, he detailed how the Health Ministry was controlled by a militia that stole hospital supplies to buy weapons to fight against the Americans.¹²

A more recent chief of the COI also left in 2011 under pressure. Rahim al Ugaaily resigned as head of the COI on 10 September 2011 citing political interference in his bureau's investigation. The COI was investigating members of al-Maliki's political party, in addition to other politicians.¹³ Another former head of the COI, independent Member of Parliament Sabah al Saadi, railed against the removal of Ugaaily from the commission. Saadi claimed al-Maliki was forcing Ugaaily to create false dossiers that would implicate al-Maliki's political rivals.¹⁴ For Saadi's outspokenness, however, al-Maliki's allies sought to take away his parliamentary immunity and have him arrested.¹⁵ Cross-party accusations of corruption and misdeeds are one way of eliminating political rivals. In December 2011, al-Maliki accused the Sunni vice president, Tariq al Hashimi, of running an assassination team. Hashimi fled to the Kurdish north, outside Baghdad's reach, where he has the protection of the Kurdish leadership.¹⁶

Indeed, while the COI was created to be an independent commission, various political factions over the years have sought to control it. In 2011, the Supreme Federal Court placed the COI under the supervision of the Council of Ministers.¹⁷ Currently the COI's chief must be appointed by the prime minister and will hold ministerial rank.¹⁸ These administrative

7 english.alarabiya.net/articles/2012/02/01/191870.html

8 www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx

9 www.nazaha.iq/en_news2.asp?page_namper=e4

10 www.niqash.org/articles/?id=2804

11 www.nytimes.com/2007/09/07/world/middleeast/07iraq.html

12 www.abajournal.com/news/article/eliot_ness_of_iraq_wins_asylum

13 www.thenational.ae/news/world/middle-east/al-malikis-critics-fear-for-their-safety-after-threats

14 news.antiwar.com/2011/09/12/resigned-iraqi-official-criticizes-malikis-power-grabs/

15 www.thenational.ae/news/world/middle-east/al-malikis-critics-fear-for-their-safety-after-threats

16 www.nytimes.com/2011/12/23/world/middleeast/explosions-rock-baghdad-amid-iraqi-political-crisis.html

17 www.niqash.org/articles/?id=2804

18 www.nazaha.iq/en_news2.asp?page_namper=e2

changes might well mean the COI could eventually lose its bite and become a political tool of the Prime Minister's Office.

This is because despite the many complaints that could come to the COI's office by email or phone, it is ultimately the COI that decides which cases to pursue. Indeed, the COI has itself also been accused of corruption and many of its employees have been exposed and prosecuted.¹⁹ The COI, however, suffered its greatest assault when a bomb hidden in an ambulance went across security barriers and exploded outside its offices on 22 December 2011, killing 23 people. It was Baghdad's deadliest day in over a year, as a series of well-placed bombs killed at least 63 people and wounded 185.²⁰

The role of the media and internet

The struggles of the COI are symptomatic of corruption and problems at the highest levels of government. While numerous online pundits and commentators have discussed these issues, scant internet usage also means that the audience for these discussions is small, mostly only educated middle-class Iraqis or elites.

Whilst television and newspapers remain fairly partisan, one bright media outlet reaching a wide spread of the Iraqi population that encourages free speech and criticism is Radio Dijla, Iraq's most popular talk radio station. Broadcasting terrestrially and via Hotbird satellite, Radio Dijla also has a web presence where listeners can find webcasts as well as a smartphone app to hear the programming anywhere in the world.²¹

Listeners call in during its numerous chat shows to gripe about politics, corruption and whatever else is on their mind. Founded in Baghdad in the months following the US invasion, its head office was destroyed by around 80 heavily armed insurgents on World Press Freedom Day (3 May) in 2007. Radio Dijla subsequently moved its main office to Sulaimaniyah in Iraqi Kurdistan to continue its popular broadcast and programming.

The tangled web of corruption in Kurdistan

The regional example in this report focuses on one case of high-level corruption in Sulaimaniyah, one of the most important cities in the north and the bastion of political activism in Iraq. Soon after the US invasion, long-time rival parties, the PUK and KDP, organised a truce and began a power-sharing

agreement in Kurdistan. This arrangement led to a stagnant state of affairs in the region, whereby certain political families and their associates continued to acquire substantial wealth and power.

In the spring of 2011, activists in Sulaimaniyah, inspired by their counterparts in the Middle East and North Africa (MENA), began daily protests and occupations of important streets. The protesters, expressing their grievances both online and in the streets, were demanding the dismantling of the tandem political system, with rampant corruption and power concentrated in too few hands. A third party called Gorran (Party for Change) had emerged to challenge this two-party arrangement. On numerous occasions, the security forces came out to clash with the protestors and even killed several of them.

Eventually the protest movement lost its steam with the crowds going home as the ruling politicians in the late spring of 2011 agreed to hold formal discussions with protest leaders. It is in this context that the death of the mayor of Sulaimaniyah ought to be considered.

On 8 April 2012 the mayor of Sulaimaniyah, Zana Hama Salih, was arrested by Kurdish security forces after being asked to provide evidence for a corruption case which first emerged more than six years ago. That case involved a land deal worth half a billion dollars. Mayor Salih was held in detention, accused of having taken a bribe in the property deal. His family and many supporters came to the detention centre to protest his arrest. Six days later, he was found hanged to death while in custody, a case of apparent suicide.

The Kurdish online world exploded with accusations and protests. Salih's wife spoke to the press, accusing Kurdish officials of arranging his death.²² The family had met with him shortly before he died and he apparently expressed no psychological distress that would lead anyone to conclude he would soon kill himself. Instead, as his wife explained, Salih was determined to prove his innocence and had evidence to show that other officials were implicated in a corrupt land deal.²³ The speculations online suggest that had the judicial case moved forward, Salih would have had the opportunity to expose corruption among high-ranking officials and his killing was a way to silence him.²⁴

More than a month after his death and after a completed investigation, an official report still

19 www.niqash.org/articles/?id=2804

20 www.nytimes.com/2011/12/23/world/middleeast/explosions-rock-baghdad-amid-iraqi-political-crisis.html

21 www.radiodijla.com

22 www.ekurd.net/mismas/articles/misc2012/4/state6150.htm

23 www.ekurd.net/mismas/articles/misc2012/4/state6150.htm

24 www.aknews.com/en/aknews/3/301887

insists that Salih killed himself.²⁵ Despite their limited audience, Kurdish blogs and social media pages play a role in keeping his mysterious death on the forefront of Kurdish political debates.²⁶ Salih's family appealed to the central government in Baghdad to intervene in the investigation.²⁷ What consequences his death will have in the future fight against corruption as well as in Kurdistan's relationship with Baghdad is still unclear.

Conclusions and action steps

There are a couple of key conclusions one can draw from these case studies.

Corruption is pervasive at all levels, including the highest levels of officialdom. ICTs can be a tool for delivering news and messages, and for organising protests – but the internet is not yet fully effective as a mass medium due to low levels of usage among Iraqis.

The use of ICTs to fight corruption in Iraq cannot be considered entirely successful, and therefore as in other countries in the MENA region, activists using social media and blogs have to connect with other forms of media to get their messages across to a wider audience.

Although ICTs are not fully tapped as a tool for activism, there are advocacy or action steps that can be taken.

Activists using ICTs to fight corruption should consider plans to:

- Encourage Iraqis to document corruption whenever possible with evidence that can be placed online.
- Not rely on government-led initiatives to fight corruption. Rather, activists and NGOs should create their own forms of corruption exposure, in whatever format deemed necessary, to create public outrage, which in turn shames the government into action.
- Use the internet as a tool, but also connect with other traditional media that can relay and disseminate the information they place online to a wider public.
- Realise that most Iraqis do not currently have access to the internet using a computer, and that if activists want to reach them, they should consider propagating their messages via increasingly popular smartphones, using apps and other phone tools.
- Make fighting corruption a priority because this malignant force is an obstacle to any progressive changes that NGOs and activists seek.

Activists should therefore connect with the ordinary public, encouraging them to see corruption as a problem that hurts them also. The aim here is to draw in members of society who normally do not participate in political reform. Only a collective stance against corruption can change Iraq. ■

²⁵ www.rudaw.net/english/kurds/4733.html

²⁶ kurdishobserver.blogspot.co.uk

²⁷ www.rudaw.net/english/kurds/4733.html