The UNPO election observation would not have been possible without the kind support of our Kurdistani drivers and translators. The report’s authors extend their unqualified thanks to these individuals.
Election Observation Report

PRESIDENTIAL AND PARLIAMENTARY ELECTIONS

KURDISTAN REGION OF IRAQ

25 JULY 2009
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Kurdistan’s parliamentary and presidential elections represent an important step for democracy within the Kurdistan region, the Republic of Iraq and the wider Middle East region.

Based on the observations of the UNPO election monitoring team, the following recommendations have been identified:

- Good practice was noted in a number of polling centers. The sharing of experience at all levels of the electoral process should be encouraged in the post-election period to highlight problem areas and spread good practice.

- Political parties should pay greater respect to the laws and best practice governing electoral campaigning. Especially since the election saw widespread posting of election materials on public amenities and on both government property and vehicles.

- Media coverage of the elections proved spirited but many media outlets remain closely tied to political parties. New and existing independent media outlets should therefore be supported and promoted to provide impartial election reporting.

- There must be stricter administration in any future use of Form 111, or its equivalent, so as to limit the possibility for electoral fraud. This is necessary to encourage greater public trust in the electoral process.

- Progress has still to be made in the field of voter education. Particular attention must be paid to the independent participation of women in elections, and with that, an end to the practice of family voting.

- The training of electoral staff must not be neglected in the wake of the elections. The retention of capable, existing, staff will be important to support the electoral process and help to avoid a repetition of the shortcomings identified in this report. In particular, electoral staff must receive greater training in the counting and tabulation of votes.

- Kurdishı civil society has shown its capability of supporting the electoral process. This capacity should be supported and expanded by the Kurdishı authorities and the international community.
The UNPO Election Observation Mission (EOM) visited a total of twelve polling centers within the Erbil Governorate and observed voting in thirty-six polling stations. This included repeat visits to two polling centers.

While campaigning materials were located outside approximately a third of polling centers, very little active campaigning was observed and physical access to polling centers was considered good in all cases. The EOM did not engage in long-term observation of the election but were nonetheless concerned by the heavy proliferation of Kurdistani List campaigning material on government buildings and vehicles.

The polling centers visited by the observation team were found to be well organized, clearly laid out, and equipped with sufficient voting materials for their catchment areas. Voter information was clearly posted in each polling station but guidance had to be provided by polling station staff to many voters unfamiliar with the voting procedure.

Voters’ secrecy was respected in almost all polling stations and cases of voters marking their ballots in groups, or ‘family voting’ proved limited. Polling station staff provided assistance to blind or illiterate voters without prejudice and the EOM were provided with information on request in all but one instance.

Concerns were noted regarding the use of Form 111 – a form permitting voters to change their allocated polling center to one of greater convenience. Incorrectly completed forms and reported misuse of these forms were one of the most serious problems to face the elections.

Political entity observers were present in all but one of those polling centers under observation and non-governmental organizations were represented in half of those centers observed by the UNPO team. Local observers were also active in their observation of the voting process and raised questions on those occasions when voters were unable to cast their vote for whatever reason.
The Unrepresented Nations and Peoples Organization (UNPO) is an international and democratic membership organization. Its members are indigenous peoples, minorities, and unrecognized territories who have joined together to protect and promote their human and cultural rights and to find nonviolent solutions to conflicts which affect them.

In addition to a large Kurdish population, the Kurdistan Region of Iraq is also a historic home to Armenian, Assyrian, Turkmen and Yezidi communities, the numbers of which have recently grown with those who have fled violence elsewhere in Iraq for the security of the Kurdistan Region.

The observation of the Kurdistan parliamentary and presidential elections on 25 July 2009 represents the latest mission of the UNPO in the Kurdistan Region of Iraq. The observation mission was undertaken to ensure that attention focused not only on the general conduct of the election but also on areas of particular interest to the Assyrian communities of the region.

The parliamentary elections represent an important, if debated, step for Kurdistan’s smaller communities. For the first time, reserved seats for five Assyrian representatives, five Turkmen representatives, and one reserved seat for an Armenian representative will be available. Some parties dispute the size of these quotas, claiming that they under-represent some communities, whilst others actually believe they overestimate the size of the communities.

The situation of these communities, simultaneously swelled by displaced compatriots from Iraq’s instability and diminished by steady emigration to the safety of neighboring states, is represented by conflicting visions of the communities’ futures. Some see a strengthened Kurdistan Region of Iraq as a guarantor of their rights whilst others place greater confidence in a resilient federal structure with Baghdad at its center. These variances have made international observation of the election an important and necessary task.

The participation of the international community in the elections has been very welcome, especially after a more limited engagement in the past (see UNPO-ACE Election Observation Mission [Nineveh Plain, Iraq 2009] - http://www.unpo.org/content/view/9219/81/). But there remains a need for attention to be paid to those areas of concern to Iraq’s many communities. This knowledge and understanding of the minority situation is lacking in many of the delegations and missions visiting the region. The UNPO therefore undertook this EOM to address this need.

A three-person EOM was deployed to the Erbil Governorate of the Kurdistan Region of Iraq before the close of campaigning and monitored the conduct of voting in urban and rural locations. Voting in both Assyrian and Kurdish areas was observed, as was the opening and closing of polling stations and the counting of votes. The observations made by the team are noted in this report and details of the polling centers visited and the checklists used to record observations can be found in the appendices of this document.

This report represents a continuation of the work begun in January 2009 when UNPO conducted observations of the Iraqi Provincial Elections in the Nineveh Plain area of Northern Iraq in cooperation with the Assyria Council for Europe (ACE). UNPO intends to continue its work in the region with an observation mission planned for the January 2010 Parliamentary Elections.
The UNPO EOM was deployed as a short-term observation mission whose focus was to monitor the conduct of the elections in both Kurdish and Assyrian areas of the Erbil Governorate of the Kurdistan Region on the day of voting, 25 July 2009. The conduct of ‘Special Voting’ in hospitals, prisons, and military installations on 23 July 2009 was not observed by the EOM.

The EOM was composed of three individuals with previous experience of both election monitoring in the Middle East and Africa and working within the Kurdistan Region of Iraq. Briefings were conducted in advance of the team’s deployment and contact points were established with other international observation groups prior to the team’s deployment.

Observation checklists were tailored for the election based on Organization for Security and Co-operation in Europe (OSCE) guidelines and also drew upon the team’s past experience of election observation. An example of the checklist used can be found in the appendices to this document.

For security and logistical reasons, polling centers for observation were identified along a predetermined route, but visits to polling stations were unannounced. Kurdish and Arabic translation was also available to the observation team throughout the course of election day.
The UNPO election monitoring team were able to record a number of positive observations from their visits to polling stations over the course of election day.

These positive elements indicate a strong understanding of both the electoral process and best practice. If they are entrenched, they should form the foundation for further improvements in the conduct of future elections and referenda in the Kurdistan Region and the Republic of Iraq.

1. **Polling Centers**

1.1 *Catchment Area*
Each polling station’s catchment area never exceeding 500 voters per voting station among those observed by the EOM. This size of catchment area appeared appropriate for the facilities and resources available in each case. No polling center was observed in which there were more than six polling stations.

1.2 *Supplies*
No shortages of voting or administrative materials were observed during the EOM’s visits and when questioned, polling center staff confirmed that no problems had been encountered with the supply of these materials.

1.3 *Opening and closing*
Those polling stations observed opened on time and closed on time, and adhered to the one hour extension to voting that resulted in polling centers closing at 19h00.

1.4 *Voter Lists*
The voter lists displayed outside polling centers were both easy for voters to access physically and to read in those polling centers observed by the EOM.

1.5 *Voter Information*
Within polling centers and polling stations, voter information showing ballot papers was also clearly displayed on the walls of the center and its stations.

1.6 *Layout*
All the polling stations observed by the team followed a clear circular layout and queue control at both the polling center and polling station levels was effective. In some instances this included numbered voting booths and clearly indicated paths to guide voters through the polling center and polling stations.

1.7 *Voter Verification*
Polling center staff appeared well trained in the conduct of voter verification at the polling center and polling station levels.

1.8 *Female Participation*
There was a high level of female participation among those polling center staff monitored by the observation team. While this participation was chiefly at the administrative officer level (e.g. Data Clerk, Signature List Clerk, Queue Controller), it also extended to the level of polling station managers.
1.9 Staff Capacity
Polling center staff appeared well trained in the processing of voters and assisted the EOM in their monitoring by answering general and procedural queries in all but one instance.

2. Security

2.1 Road Blocks
As part of security arrangements made specifically for election day, road traffic was limited to accredited vehicles only. In addition, roadblocks were placed outside polling centers. Public transport was provided for those living at a distance from their allocated polling station. The observation team did not encounter any obstruction from security personnel.

2.2 Polling Station Security
Polling station security varied in its stringency, but the common standard was good. The use of handheld metal detectors for screening voters was observed in Salahaddin but not elsewhere.

3. Local Observers
Every polling station observed by the election team had at least three Political Entity and Non-Governmental Organization (NGO) observers present to monitor the voting process over the course of election day. A large number of these observers were young and proved attentive to the electoral process.

4. Voter Turnout
Although time did not permit an analysis of voter turnout by sex, the EOM was able to note during its visits to polling stations the number of voters to have cast their ballots and found turnout to be high in many polling stations. Voters appeared to represent a broad cross-section of Kurdish society with young and elderly voters particularly prominent.

5. Campaigning
The EOM noted the presence of an official portrait of President Barzani hanging in one polling center but made no formal comment to polling center staff. But nevertheless, upon returning later in the day the EOM found the portrait removed. This second visit was unscheduled and unannounced.
CRITICAL OBSERVATIONS

Despite the sound management of many polling centers, a number of shortcomings were observed by the EOM that gave rise to concern.

Few of these shortcomings were sufficient on their own to permit electoral fraud, but collectively they undermined some public perceptions of the election’s impartiality, encouraged speculation over alleged malpractice, and provided the opportunity for electoral fraud.

1. Election Scheduling

The decision to hold the election during the height of the summer season meant that voters and polling center staff had to work in temperatures reaching 40° Celsius. This placed additional personal and logistical demands upon staff and facilities alike. For example, air conditioning units and chilled bottled water had to be provided in almost all those polling centers observed.

2. Polling Centers

2.1 Indelible Ink

In at least one case, and in many more reported cases, the indelible ink used to mark voters’ finger was found to be easily removed with a common detergent, raising the potential for the fraudulent casting of votes.

Pots of indelible ink were also not always secured to the ballot box desk in many of the polling stations observed.

2.2 Form 111

Many voters cast their ballots after presenting Form 111 as proof of identification. Form 111 is intended to provide voters who wished to change their allocated polling center to a more convenient alternative with the means to vote in the polling center of their preference.

The observation team noted a case in which one voter presented two Form 111 forms before being allowed to vote. A further voter was also prevented from voting because the Form 111 presented for identification bore not one name, as required, but two names.

In other cases, many voters were turned away from polling stations having been told that copies of Form 111 would not be accepted as appropriate identification.

2.3 Ballot Papers

In one polling station observers noted that ballot papers were being stamped whilst still affixed to the pad and before being distributed to voters. This was interpreted as an attempt to speed the voting process despite relatively few voters being present.

2.4 Registration

The registration of international observers was inconsistent and on many occasions members of the observer team were not requested to log their entrance and exit into the polling station manager’s log.
2.5 Voting Booths
In many cases it was observed that pens were not attached to voting booths and that in many voting booths up to three pens had been provided for use by voters.

2.6 Family Voting
Family voting, or the casting of votes by a family member on behalf of family members or the joint voting of husbands and wives, proved limited overall but remained concentrated in rural areas. The potential disenfranchisement of women continues therefore to be a concern.

3. Security

3.1 Mobile Telephones
Despite prohibitions on the presence and use of mobile telephones within polling centers, no serious attempt was made to enforce this by polling center staff in any of the polling centers observed.

4. Campaigning

4.1 Party Insignia
On several occasions, observers noted the presence of party political clothing or pin badges within polling centers. There appeared to have been no attempt by polling center staff to ask that these be removed or covered.

4.2 Public Buildings
Many polling centers were located within public buildings such as schools, and the team observed a failure in many cases to remove official portraits of the incumbent president.

4.3 Government Transport
The use of government buses to transport voters from rural areas to polling centers was an important provision but these vehicles featured prominent election material in support of the ruling party and incumbent president. The team also noted the presence of campaigning material, particularly for the ruling party, on government buildings such as traffic police cabins and sports facilities. These were frequently located in close proximity to voting centers.

4.4 Campaigning Outside Polling Centers
Campaigning material were also found on the walls of voting center compounds. New and prominently placed posters advertizing the Iraq Oil Company were found outside the entrances to voting centers in the Ankawa district. The Iraq Oil Company has extensive business interests throughout the Kurdistan Region and such posters were not noted by the EOM anywhere else but next to polling centers.

4.5 Voting Booths
In a limited number of instances, names correlating to those of candidates standing for election had been written within the voting booths. In a similar case, the interior of a voting booth bore an ink stamp from the Kurdistani Television (KTV) company. The KTV has close links to the ruling party and incumbent president.
List of Polling Centers visited by the EOM

<table>
<thead>
<tr>
<th>Visiting Order</th>
<th>Polling Center Code</th>
<th>District</th>
<th>Governorate</th>
<th>Observation Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>212006</td>
<td>Ankawa</td>
<td>Erbil</td>
<td>Opening Polling Station and Voting</td>
</tr>
<tr>
<td>2</td>
<td>212004</td>
<td>Ankawa</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>3</td>
<td>212002</td>
<td>Ankawa</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>4</td>
<td>212001</td>
<td>Ankawa</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>5</td>
<td>212005</td>
<td>Ankawa</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>6</td>
<td>212007</td>
<td>Ankawa</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>7</td>
<td>220010</td>
<td>Shawish</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>8</td>
<td>221004</td>
<td>Salahaddin</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>9</td>
<td>222001</td>
<td>Shqalaw</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>10</td>
<td>221004</td>
<td>Salahaddin</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>11</td>
<td>201013</td>
<td>Erbil City</td>
<td>Erbil</td>
<td>Voting</td>
</tr>
<tr>
<td>12</td>
<td>212006</td>
<td>Ankawa</td>
<td>Erbil</td>
<td>Voting, Closing Polling Station, and Counting</td>
</tr>
</tbody>
</table>

Source: Independent High Electoral Commission & UNPO
APPENDIX II

Map showing approximate locations of polling centers visited by the EOM
### Example of the Polling Station Checklist used by the EOM (Page One)

**Polling Station Checklist**

<table>
<thead>
<tr>
<th>Polling Station ID</th>
<th>Observer: AC / RP / AS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region:</td>
<td>District: Polling Station:</td>
</tr>
<tr>
<td>Time In: <em><strong>h</strong></em> Out: <em><strong>h</strong></em></td>
<td>PS locale: Rural [ ] Urban [ ] PS Chairperson: M [ ] F</td>
</tr>
</tbody>
</table>

**Voters List**
- How many voters are registered on the voters list?
- How many voters have voted so far?

#### A. Outside the Polling Station
- Y N N/K
  1. Are campaign materials present/visible outside the polling station?
  2. Are campaign activities taking place in the vicinity of the polling station?
  3. Was physical access to the station difficult?

#### B. The Polling Station – Environment and Atmosphere
- Y N N/K
  4. Are campaign materials present/visible inside the Polling Station?
  5. Observed any form of intimidation inside or outside the Polling Station?
  6. Observed attempt to influence voters how to vote?
  7. Was there tension inside the Polling Station during the voting?
  8. Were you given full access to the Polling Station?
  9. Did you receive the necessary information from the polling station officials?
 10. Problems with identification?
 11. Problems with registration?
 12. Ballot papers/documentation signed/marked/stamped?
 13. Insufficient or wrong ballot materials?
 14. Booths secret?
 15. Voting outside booths?
 16. Was more than one person in a booth at once?
 17. Problems with assistance to blind/literate voters?
 18. Ballot box sealed properly?
 19. Ballot box visible to the commission?
 20. Other problems?
 21. Approximate time taken to process one voter min

#### C. Unauthorised persons
- Y N N/K
  22. Are unauthorised person/s present? If, YES, who?
  | Police | Military | Security | Local authorities | Other |

#### D. Domestic Observers
- Y N N/K
  23. Are domestic election observers present? If, YES, who?
  | NGO | Political Party/Candidates | Other |

#### E. Election material
- Y N N/K
  24. Were all necessary election materials present? If NO, which?
  | Voters list | Ballot box/boxes | Polling booths | Ballot papers | Protocols | Ink | Other |

#### F. Procedures: Irregularities observed
- Y N N/K
  25. Was the secrecy of the vote ensured?
  26. Did you observe voters being handed more than one ballot (multiple voting)?
  27. Did you observe voters receiving ballots for other persons (proxy voting)?
  28. Did you observe voters voting in groups (family voting)?
  29. Did you observe voters using pre-marked ballots (carousel voting)?
  30. Did you observe the same person “assisting” numerous voters?
  31. Anyone denied the right to vote for inappropriate reasons?
### Example of the Polling Station Checklist used by the EOM

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<tr>
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<tbody>
<tr>
<td>32. Was the process seriously hampered by overcrowding or disorganisation?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Official complaints</td>
<td>Y</td>
<td>N</td>
<td>N/K</td>
</tr>
<tr>
<td>33. Have official complaints been noted?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H. Evaluation</td>
<td>5=very good – 1=very poor</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>34. How do you rate PEC members’ understanding of voting procedures?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35. How do you rate most voters’ understanding of voting procedures?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Overall Assessment</td>
<td>4=very good – 1=very poor</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>36. How do you rate the conduct of voting at this polling station?</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>J. Notes</th>
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<tbody>
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<td></td>
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