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## Policy Brief

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### Anti-Corruption Efforts in Iraq

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*Given the institutionalized nature of corruption in Iraq, fighting it will prove substantially difficult, and would require a national program that upsets major aspects of Iraqi politics.*

Years after toppling the regime of Saddam Hussein in April 2003, [corruption](#) remains one of the top concerns of Iraqi citizens. It has, thus, become a tradition for Iraqi governments to champion a resolve for ridding the country of this endemic. The government of Prime Minister Haider al-Abadi is no exception. In his [press briefing](#) on 23 November 2017, al-Abadi announced his intention to launch a crosscutting anti-corruption campaign, promising an ultimate “triumph over corruption as Iraq did with Daesh.”

While laudable, such efforts will prove substantially difficult and would require a national program that upsets how major aspects of Iraqi politics have been practiced since 2003.

#### Corruption is a symptom

Corruption in Iraq exists in all of its nefarious political, administrative, financial, and moral forms, where nepotism, bribery, embezzlement, and tax evasion, among others, are so prevalent that they’ve become *institutionalized* as inherent to the political and social fabric of the country.

Reasons for widespread corruption are various and many. Most detrimental is the existing weak rule of law and even weaker democratic institutions such as the Judiciary, intended to serve the rule of law, leading to issues of bad governance. Corruption is also caused by tribal norms, which encourage helping in-group members at the expense of others, often without recognizing such preferential treatment as a form of corruption.

These, however, are merely symptoms of corruption in Iraq. Its root cause lies in the post-2003 political re-structuring, which, to promote consensus and cooperation, resulted in a power-sharing arrangement between the three major confessional and ethnic groups in the country: the Sunni Arabs, Shiite Arabs, and Kurds. More damaging is the [extension](#) of this political arrangement into state institutions and independent government entities, leading to the compartmentalization of corruption. An example of this norm can be found in the practice

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of allocating ministerial and leadership positions at the state ministries and offices based on religious, ethnic, and tribal loyalties.

Moreover, because confessional leaders see themselves as *the* legitimate victors in the struggle against Saddam Hussein's dictatorship, they have developed a sense of entitlement to unilaterally control state institutions. And, as a sign of gratitude for their 'struggle,' they, and their affiliates by extension, act as though their struggle entitles them to an exemption from accountability to the rule of law. In a sense, political and confessional considerations, and the intangible heavy political weight attached to them, were (are) allowed to take precedence over legal processes designed to safeguard institutions against corruption and other malfeasance.

### **Corruption and Confessionalism at institutions level**

When al-Abadi's government avowed its willpower to defeat corruption much the same as it did with ISIS, many Iraqis are left to wonder: How is it possible to end such entrenched corruption permeating the highest levels of government?

Al-Abadi's campaign may be sincere, but sincerity alone is not enough to help his corruption-torn nation break free from its grip. Past attempts at reform failed because they fell captive to confessional considerations, which characterize the existing state system. Hence, current attempts at reform are unlikely to succeed in any meaningful way without overhauling the gaps at the *institution level*. This is because corruption is not just limited to officials who are tempted by and abuse their powers; corruption is rather embedded in an institutionalized system in which these officials operate. The system has for too long tolerated such a blight to replace legitimate forms of governance in Iraq.

### **Looking Forward by Seizing on Momentum**

To achieve desired results, al-Abadi must [seize on](#) national and international support, and on momentum associated with defeating ISIS and preserving the unity of Iraq. He must do what no other leader has done since 2003: prioritize country before party and confessional loyalties. To be sure, al-Abadi has proven to be a decisive and balanced leader on security and diplomatic fronts, but has yet to fend off corrupts who turned state institutions into personal and confessional fiefdoms, previously necessary, in some cases, to preserve the delicate geopolitical stability during the fight against ISIS.

Now that ISIS is defeated, at least in military terms, acting forcefully against corruption is instrumental to achieving effective and efficient government. When there is corruption, the authority and credibility of the state and democratic institutions are at serious risk. Acting to route corruption is also important to maintaining security and stability in post-ISIS Iraq. This is because corruption and bad governance, to be sure, are the [root causes](#) not only underpinning the sudden collapse of security forces in Mosul and other Iraqi cities, but also underlying why citizens were so vulnerable to recruitment once IS declared its caliphates.

An important and encouraging aspect in the latest incarnation of al-Abadi's anti-corruption pursuit is the [internationalization](#) of the issue, through an agreement between the government of Iraq and United Nations Development Programme (UNDP). Under the terms of the agreement, the UNDP recruits international investigators to help mentor Iraqi counterparts in tackling complex corruption cases. This is significant for at least three main

reasons. First, because of Iraq's history with authoritarianism, national investigators are not as experienced in dealing with institutional corruption necessitating assistance from outside legal professionals. Second, by procuring such assistance, corruption probes would gain international legitimacy, making coordination with foreign governments and banks easier when, for example, tracing corrupts' foreign bank accounts. Third, enlisting outside aid would also increase national legitimacy for the anti-corruption campaign. This is critical in a country split by confessional divisions where past allegations of corruption have almost always been met with claims of selectiveness.

Also encouraging is al-Abadi's track record in tackling challenges as critical as corruption, be they political, economic, or security in nature, ever since he ascended to premiership in 2014. He must now seize on such successes, international technical expertise and support, and favorable public opinion to uproot corruption at the institution level. This would require, most importantly, institutional reforms that strengthen the rule of law and empower the independence of the Judiciary and the three main independent investigative bodies (Integrity Commission, Office of the Inspector General, and Federal Board of Supreme Audits) to pursue high-profile corruption cases. The records of the judiciary and these bodies for prosecuting high-profile corruption cases are lackluster to date. This is due to a host of reasons such as the politicization of the Judiciary; fear by judges to issue verdicts against individuals with strong party affiliations, and, at times in the past, the failure of government to carry out indictments issued by the Judiciary, often to preserve national unity given Iraq's barrage of ongoing existential threats.

Actions must take precedence over good intentions and rhetoric in post-ISIS Iraq. The government, in consort with national and international actors, must work to design and publicize a roadmap specifying policymakers' short-, mid-, and long-term plan to defeat corruption. Such plan must go beyond the familiar cases of low-level arrests and convictions while leaving untouched the 'big sharks of corruptions' whose parties managed to turn state institutions into instruments for nepotism, clientelism, and the pocketing of public funds, etc., including by members of al-Abadi's ruling coalition. This applies to the current and future ruling coalition that al-Abadi seeks to lead. Indeed, in this regard, although corruption has always existed in Iraq, there is a widespread agreement that it has substantially [increased](#) during the reign of Prime Minister Nouri al-Maliki of al-Dawa Islamic Party. If and when al-Abadi designs and implements such a plan, donors at the February 2018 Iraq Reconstruction Conference in Kuwait will be better assured that their generous funds will not be wasted to corruption. Efforts in this direction would also serve Al-Abadi by helping boost his chances of winning another term under his newly formed Victory Alliance ahead of the upcoming May 2018 elections.

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