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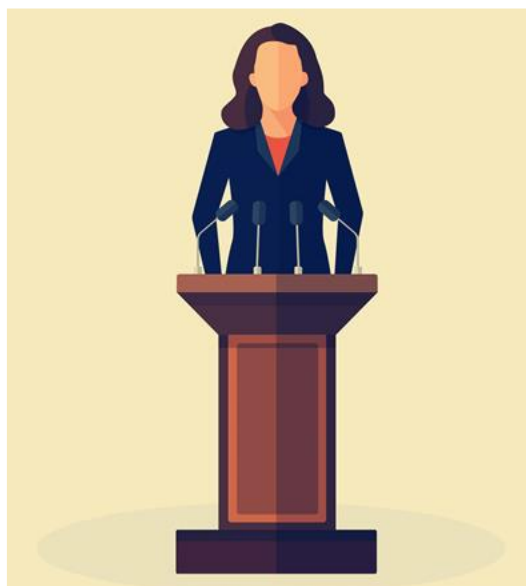
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**Gender Based Violence and Hate Speech Against
Female Candidates in the
Iraqi Parliamentary Elections 2021- Election Watch Project**

Facts analysis report

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prepared for

Iraq Foundation

by

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INTRODUCTION

Hate speech and gender-based violence constitute a main impediment that prohibit- women from fully participating in politics with challenges to end this speech and its campaigns remain; in fact, they threaten the achievement of peace in post-conflict societies and cause irreparable damages specifically during elections since they may lead to clashes upon results announcement.

Legal domains such as freedom of expression, discrimination, calls or incitement for discrimination or violence face tremendous challenges; in fact, the word hate entails several layers of intensity, whether they reflect normal behavior perceived by the speaker in spite of the gendered hate, or exceeds it to convince others of hatred or incite violence on the basis of discrimination; this requires immediate legal remedies to counter this speech and prevent it from turning into a social ritual practiced during electoral campaigns against weaker social categories such as women or minorities and impeding effective participation or access to their audiences to introduce their programs and politics.

The 2018 elections were a dangerous turning point in the spread of hate speech and the issues faced by female candidates during their own campaigns, ranging from defamation, false accusations affecting their social or political reputations, intimidation, and violence in all its forms, affecting family members as well as other forms of illegal competition.

This report studies and analyzes instances of hate speech and incitement to gender-based violence targeting female candidates during the Iraqi parliamentary elections of 10/10/2021, highlighting the reasons behind the spread of this speech during this period; it also reveals its dimensions and impact on female candidates' political empowerment. Iraq democracy is still nascent, its procedures and foundations should be reinforced to allow it to overcome adverse conflicts or strife. Electoral violence is a phenomenon that could spreading quickly during campaigns and may take different forms. Analyzing and monitoring such practices reveals the deterring ability of current legislations by conducting an analysis of the legal system and compatibility in terms of structures and implementation, and whether they stopped or halted electoral violence or hate speech or were they incapable of sanctioning violations. The report also monitors government efforts in women's political empowerment, their ability to meet legal redress requirements to victims during their campaigns, to allow us to develop fair legislations and procedures and to help women achieve effective participation in the political life away from incidents of



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hate, harassment, or gender-based violence and allow them to fulfill their role in the decision-making and peace-building process.

METHODOLOGY

The report reviews legal texts aimed at combating and preventing hate speech during electoral campaigns, relevant violations that could target female candidates addressed by the law to provide criminal deterrence for perpetrators, determine legal means of redress by following the rules set forth by the Independent High Electoral Commission (IHEC) , the opinions of its administrative officials, and the Communications and Media Commission (CMC) media and monitoring reports regulatory texts.

Following a review of current legal texts as well as finding a common understanding of legal texts incriminating hate speech or violence, an intensive training was conducted for 7 IF project implementation partner organizations; monitoring covered 7 geographically and socially diverse governorates (Baghdad, Mosul, Kirkuk, Saladin, Diwaniya, Najaf and Basra).

Trained organizations representatives were introduced to the means to determine hate speech and legal prevention, monitoring of its types, collecting data, and developing reports; in fact, a monitoring and reporting protocol as well as communication mechanism was defined during interviews with female candidates to clarify their rights, legal redress ways and candidates were encouraged to resort to legal reporting and to document violations they are subject to.

IF worked with IT expert (Tech4Peace) to create and develop a database and email address to report incidents that provides an interactive roadmap¹ to allow access to activists and list women rights violations in electoral campaigns along with their locations and types. The database ensured ng sender and recipient information confidentiality in addition to providing legal information incriminating hate speech and gender-based violence to interact with society and allowing the public and activists to play an effective role in reporting incidents.

¹ refer to the interactive map created by IF in collaboration with Tech4Peace, which determines locations and type of violations against candidates according to the interactive map on the website <https://womencandidatesrights.org/map>



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The report's timeline covers the launch of the electoral campaign in 15/7/2021, the elections silence day on the morning of 9/10/2021¹, and the monitoring and documenting period on elections day and until 15/11/2021.

IF partner organizations representatives, thanks to their experience and training in monitoring processes, documented violations against female candidates and held interviews pursuant to the protocol.

IF also launched a media campaign through different satellite channels to define hate speech and gender-based violence, the cases considered as electoral campaigns violations and crimes according to the law, means of legal redress in case of violations against candidates. Awareness information was included to inform individuals on the disadvantages and repercussions of abusing freedom of expression especially on social media where abuse that is tantamount to rights violations shall be subject to legal accountability.

The report analyzed and categorized cases of hate speech and gender-based violence that were monitored and reported during electoral campaigns by IF partner organizations in the 7 governorates, as well as other cases seen in other governorates outside the project geographic scope, excluding Kurdistan region. Accordingly, numbers will represent the collected data and provide evidence pursuant to the procedures followed by IF. They do not reflect the actual number of cases; they rather reaffirm the efforts made by the 7 monitoring teams and activists and stakeholders' reports submitted through the interactive map.

Analysis also included results of in-person interviews and email correspondence with other candidates and IHEC officials, analysis of complaints officially filed by candidates in the subject of hate speech and IHEC relevant decisions, the CMC, and its monitoring report during the elections campaign period. This analysis determined the effectiveness of the legislative framework and its implementation processes in preventing the spread of hate speech and incitement of gender-based violence. It highlighted the alignment between the legislative and factual compliance of legal texts and used a series of academic research and reports published by government and non-government organizations to determine reasons behind the spread of hate speech, means to ending or reducing it and to present a comprehensive analysis of electoral campaigns.

¹ Paragraph 3, decision 5, extraordinary minutes 46 of IHEC on 8/7/2021



CHAPTER ONE

Legal framework of women political participation in parliamentary elections

Promoting women's political participation is enshrined in international conventions and frameworks including the United Nations' sustainable development goals; International frameworks on women's rights and gender equality aim at removing structural obstacles hindering women's full, equal and active participation in political life; women's participation in the political life is key to building stable, prosperous, and sustainable societies

The international community has consistently strived to find solutions to ensure women's effective participation with most states including Iraq ratifying international conventions such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) to advance women's rights including political rights¹. However women's participation and representation in elect offices remains subpar, prompting efforts to find solutions to the root causes of gender inequality with the aim of promoting women's role in society by adopting positive discrimination (quota system) to participate in the decision-making process.

In Iraq, political participation follows the principle of gender equality² with the constitution expressly stipulating positive discrimination in the parliament, granting women no less than 25% of total parliament members pursuant to the provisions of article 49/4 of 2005 constitution, as also reaffirmed by subsequent electoral laws specifically article 16 of electoral law 9/2020.

1. Number of female candidates in running for elect office in 2021 elections

Different state institutions, civil society organizations and other social entities exerted efforts to promote equal opportunity to ensure women's effective participation in the runoff to the elections on 10/10/2021.

Numbers indicate that the final figure for female candidates cleared to run by IHEC was 946 women out of a total 3,225 candidates (representing 29.3% of the total), a marginal increase compared with 2018 where the percentage reached 29.17% then. The total number of candidates decreased as a result of changing the electoral law and adopting the single non-transferable vote system (SNTV) instead of proportionate representation in the distribution of seats (based on Sainte – Laguë).

¹ Article (4/1) of CEDAW 1979

² Article (20) of 2005 constitution: "Iraqi citizens, men and women, shall have the right to participate in public affairs and to enjoy political rights including the right to vote, elect and run for office"



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The relative convergence in the number of female candidates in the current and previous elections results from several factors, primarily article 14 of the law which stipulates the presence of one woman after three men upon presenting open lists. This reflected on the IHEC processes which require the adoption of a female quota (25%) in open (parties) lists¹. In addition, the electoral district size was a factor that encouraged women to run for elections since independent candidates would face lighter competition compared with the former proportionate representation system which favored party lists over independent candidates, allowing parties to present twice the number of candidates in a district, violating the equal opportunity principle and reflecting negatively on the independent candidate's will to run for elect office. In addition, some female candidate's experience in 2018 elections adversely affected their will to participate; this increase remained intangible despite the existence of equal opportunities for women to participate in the political life. In fact, there are no major obstacles towards women running for elect office; tribal leaders' mentality changes also permit women to run for elect office; however, the number of independent candidates reached 162, representing 4.99% of total women candidates (17.05%) of total women candidates (950), and 20.53% of independent candidates (798), representing 24.32% of total candidates, proving insufficient women participation outside party lists.

Seven hundred eighty-eight candidates (788) on parties' lists were female, representing 32.09% of total parties' candidates (2455), which indicates:

1. A predominance of female candidates in parties lists over independent candidates whose candidacy is hampered by several factors in smaller districts, including fear, hesitation of political involvement without a supporting political entity; therefore, women tend to join existing political parties. The inability to compete with politically or tribally-supported female candidates is another factor restricting independent women's candidacy.
2. Several factors affect women and their decision to refrain from running for elect office, including the absence of a strong political or family supporter, social media bullying campaigns, women's perceived lack of social skills that other male or female candidates on parties' lists have, tribal support granted for men unless a small tribe

¹ IHEC drafted the minimum guarantees for women candidates on open lists through regulation 6/2020 "registration and approval of parliamentary elections candidates", article 4 paragraphs (first/2,3,4) making it mandatory for political parties or coalitions to ensure women representation in electoral lists in line with electoral districts annex (one at least one female candidate per electoral district). If lists include one or 2 candidates in more than one electoral district, then women should form a percentage of party candidates in these districts. IHEC also expanded representation to ensure it in each district; otherwise, political parties and coalitions shall replace a male with a female candidate.



supports women candidacy as its only means to achieve parliamentary representation through the quota system.

3. Article 14 of the electoral law and IHEC quota regulation in open lists requires female quota, which maintained women's participation at 25% minimum.

4. Allocating one seat in each electoral district to the quota system increased the number of female candidates in open lists because some political parties tended to support one candidate in the less competitive districts since quota seats are less competitive in most districts compared with elected seats.

2. Quota system and impact on seats won by women

Compared with 2018 elections results, the number of women in parliament reached 84 out of 329 members, including 22 candidates who came to power outside the quota system. In 2021 elections, the number of female candidates outside the quota system reached 57, a clear indicator of a change in the voters' electoral behavior and reflects better involvement of women in the public life since they won thanks to the votes, they received instead of the quota system. Women almost achieved the critical minority percentage to effect actual change and ensure active participation in the decision-making process (30%) of elect representative bodies in line with the Beijing Platform for Action 1995¹, proving women's ability to make decisions² and ensuring the required numbers to pass decisions in the parliament³. Women are effectively capable of participating in the decision-making process thanks to the women bloc's voting strength compared with other partisan blocs should they unite their vision.

A quick review of women's seats in the Iraqi parliament since December 2005 reveals that women received 78 seats out of 275, including 21 women who won outside the quota system. In 2010 elections, women got 81 seats out of 325, including 15 outside the quota system. In 2014, women gained 83 seats including 20 outside the quota system, and in 2018, 84 women were elected out of 329, including 22 outside the quota system⁴.

¹ What Are Quotas? (idea) website

<https://www.idea.int/data-tools/data/gender-quotas/quotas>

² Lina Imad Moussawi, Iraqi parliamentary elections candidates 2021, potentially unsuccessful and weak candidate, al Bayan center for studies and planning, Baghdad, p.4

³ Parliament decisions are voted by the majority unless stipulated otherwise, once quorum is achieved in the majority of members of parliament, i.e., if sessions are attended by 166 MPs, decisions shall be made with the majority of 84 votes.

⁴ Women running for elect office in Iraq: obstacles and requirements, p.6,



Following the IHEC announcement of the final results, “the preliminary analysis of election results shows that Iraqi women won 95 seats, an increase by 12 seats from the quota, including 2 women from minority groups and 56 women outside the quota system”.

This shows a steady increase in women representation in general and the ability to rely on the votes they receive with the quota system providing 59% of total elected female candidates, with 5 female independent candidates out of 43 independent candidates.

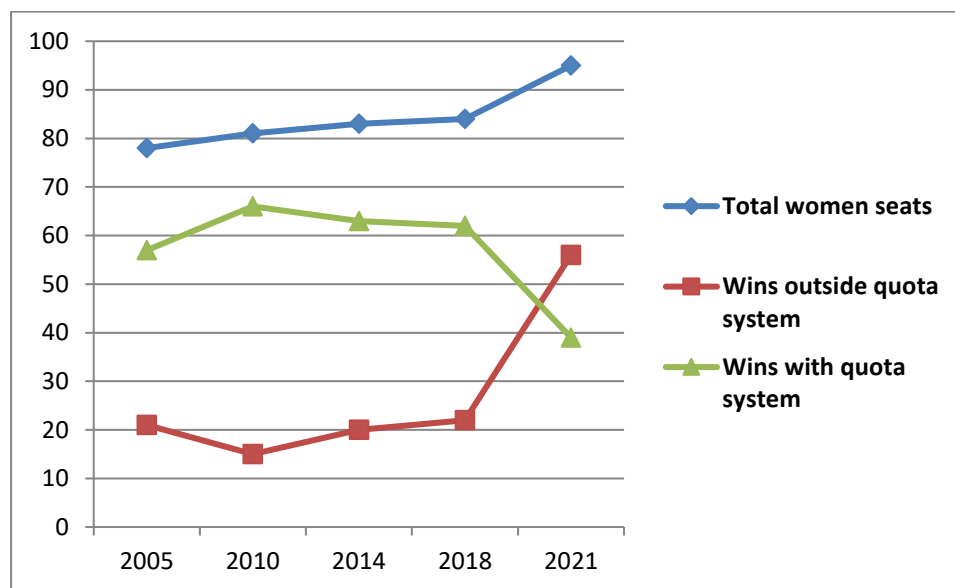


Table (1) showing female parliament seats growth between 2005-2021

Experts, stakeholders, and decision-makers agreed, during the focus groups, that women quota helped improved society’s perception, but their assessment of this improvement varied from good to subpar.

Hate speech and gender-based violence campaigns as well as weak media coverage, insufficient campaign funding, limited support by political parties, socially discriminatory perspectives as a result of patriarchal positions¹ continue to impede

<https://publications.unescwa.org/projects/swpp/sdgs/pdf/ar/Women-Political-Participation-Iraq-Ar-Full.pdf>

¹ Ms. Ingibjörg Sólrún Gísladóttir, Deputy Special Representative of the UN Secretary General in Iraq, said during the meeting to launch the executive plan to women political empowerment that “women participation in parliamentary elections is an important step to ensure social development...Iraqi female candidates face numerous political, economic, and social challenges”. Therefore, women empowerment and support will not be effortless. UNAMI will continue to support Iraq women and empowering them politically. Al Sabaah newspaper <https://alsabaah.iq/48891/%D8%A5%D8%B7%D9%84%D8%A7%D9%82->



women's comprehensive representation, therefore highlighting the importance of the quota system to ensure women representation and the need to take specific security measures to guarantee safe and free voting by women.

These measures aim to protect political work from violence and totalitarianism and achieve gender equality to create real diversity and the desired peace. In addition, creating an environment that allows women full and active participation in the electoral process constitutes an important step towards her enjoying her right to vote and participate in ensuring stability and democracy”¹.

CHAPTER 2

Government entities processes to support women participation

It is important to understand the extent to which legislative texts are implemented to ensure effective protection of female candidates; in fact, inaccurate implementation may reduce the legislative value and ability to achieve its objective. Government entities issued several decisions to promote women's political participation, starting with the creation of a Higher Committee for Women's Political Empowerment to support women political participation in the parliamentary elections, pursuant to order 32/2021 (cabinet decision), which set in motion the executive plan to support women's political participation in 17/6/2021. Several workshops, conference and forums were held to build female candidates' skills. Cooperation with relevant civil society organizations and government institutions was key to promote social awareness on women rights to participate in the public life by voting and running for elect office and to change the mainstream ideas that female candidates vote is ineffective. According to Dr. Ahlam Al Jabri (member of IHEC's Board of Commissioners), "in our societies, women do not elect women and men do not have faith in women's capabilities. This law was drafted with the objective to protect women and achieve fair representation. Since its inception, the Women Empowerment Committee worked to empower women politically in parliament to

<https://iraq.un.org/ar/151334-ywnamy-tqdw-aldm-llmfwdyt-allya-almstqlt-llantkhabat-ltzyz-almlyat-alantkhabyt-almstjybt>

¹ Press release (UNAMI supports IHEC to promote a gender-responsive electoral process)
<https://iraq.un.org/ar/151334-ywnamy-tqdw-aldm-llmfwdyt-allya-almstqlt-llantkhabat-ltzyz-almlyat-alantkhabyt-almstjybt>



support and train them during electoral campaigns and allow them to protect themselves from rumors or threats”¹.

The government formed a security committee to protect the elections, which took several steps including the creation of a free hotline (5669) to receive electoral complaints and record cases of threats targeting elections, candidates, or security violations to take appropriate legal measures.

CHAPTER 3

Legal framework of electoral campaigns

Elections-related risks that female candidates face during the elections are one of the biggest challenges of the electoral process; they are in fact related to unpredictable factors especially in newly democratic countries going through political instability and unclear visions and directions.

Did electoral or other elections-related laws help improve women’s ability to compete with other candidates? Did the texts analysis highlight their ability to adopt a gendered approach to political work? Or did legal texts entail legal violence by adopting negative discrimination? What is the impact of the legal framework and media on women participation, was it discriminatory or did it ensure equality?

1. Legal texts on chapter 5 of electoral campaigns

Articles 22-30 of the parliamentary elections law defined campaigns legal organization in the Iraqi parliament and laid several protection measures by defining campaigns times, location, methods, and subject.

Electoral campaigns begin upon confirmation of candidates’ names and end 24 hours prior to elections day² and shall be exempt of financial charges; launching campaigns shall not entail paying any tax or charges to the state and campaigns may be conducted anywhere except the locations prohibited by local entities (Baghdad

¹ Shaza al Amli, women in the new Iraqi electoral law and chances of winning, published on the following website

<https://www.independentarabia.com/node/257991/%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9/%D8%AA%D9%82%D8%A7%D8%B1%D9%8A%D8%B1/%D8%A7%D9%84%D9%85%D8%B1%D8%A3%D8%A9-%D9%81%D9%8A-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A7%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AC%D8%AF%D9%8A%D8%AF-%D9%88%D8%AD%D8%B8%D9%88%D8%B8%D9%87%D8%A7-%D8%A8%D8%A7%D9%84%D9%81%D9%88%D8%B2>

² Article 22 of the Iraqi parliamentary elections 9/2020



municipality and provincial municipalities), or ministry and public institutions buildings, places of worship or near electoral centers.¹

The law did not determine ways that can be used for campaigns methods specifically; any means may be used as long as they do not include the state emblem, or entail coercion, promise or granting of financial or moral gains², abuse of influence, or military or security bodies³; the law failed to specify the electoral campaign spending ceiling except the impermissibility to use state funds, districts budgets, endowments budgets or foreign money to fund electoral campaigns⁴; absence of relevant legal texts often fuels disparity among candidates in terms of the campaign size.

2. Assessment of electoral campaigns legal framework

The legal framework assessment requires a deep dive into the protection granted by legal texts to female candidates from hate speech or gender-based violence. The electoral law neglected to include texts incriminating acts mentioned in chapter 5 on electoral campaigns; specific behaviors and prohibitions are expressly mentioned without appropriate and suitable penalty in the subsequent chapter on electoral crime⁵, whereby it solely focused on legal assignment (acts prevention) without annexing it to the penalty (punishment). Accordingly, the commission shall only impose an administrative penalty on offenders, a legislative setback in drafting the law compared with previous legislations specifically the governorates councils' elections laws 12/2018, article 41, including sanctions of acts in violation of the chapter on electoral campaigns, and incriminating acts deceiving voters, acts of defamation or offending opponents not mentioned in the current law. The

¹ Articles 24 and 25 of the Iraqi parliamentary elections 9/2020

² Articles 26 and 28 of the Iraqi parliamentary elections 9/2020

³ Article 27 of the Iraqi parliamentary elections 9/2020

⁴ Article 29 of the Iraqi parliamentary elections 9/2020

⁵ The law does not stipulate any legal penalty for the interdiction mentioned in the following articles:

Article 25: ““ministries and other state institutions and places of worship shall not be used for electoral campaigns or activities by political entities and candidates”.

Article 26: “the official state logo shall not be used in electoral meetings, campaigns and newsletters or in campaign logos and images.”

Article 27: “state institutions or local authorities' employees shall not use their influence or state resources, means or agencies for their own or a candidate's interest, including security or military instances in electoral campaigns or to affect voters.”

Article 28: “all forms of pressure, coercion, material or moral rewards to affect elections results shall be forbidden.”

Article 29: “spending on electoral campaigns from public finances, ministries budgets, endowment funds or foreign support shall be prohibited”.



IHEC passed legislation 5/2020 on electoral campaigns to remedy to these gaps¹. Candidates sought ordinary justice pursuant to the provisions of the penal code 111/1969 to seek legal redress, especially since the IHEC refuted complaints filed for such violations, justifying that “the IHEC is an executive body that does not bear the burden of proof which requires resorting to special courts”², or dismissing the case on procedural grounds should the identity of the perpetrators not be determined “dismissal of the case on procedural grounds when perpetrators are unknown and specialized courts shall be seized”³, even though the candidate included the plate number of the perpetrator’s vehicle. Ordinary courts proceedings are time consuming, and courts are incapable of making the swift decision required by electoral campaign cases; any delay in passing a judicial decision could mean a loss of opportunity.

3. Assessment of IHEC regulations

This may be the longest electoral campaign in the history of Iraqi elections; it could have been avoided had the commissioners’ board been granted authority, provided that the campaign shall last a minimum of thirty days upon confirmation of candidates according to article 22 of the electoral law⁴. Campaigns became exhausting and expensive for candidates in general and for female candidates in specific given the discrepancy in funding electoral campaigns globally and not only in Iraq⁵.

With regards to electoral sanctions imposed by the IHEC, it made great efforts to address the electoral law shortcomings specifically in acts of defamation and hate speech in electoral campaigns. However, the complaints and appeals law number 7/2020 does not establish a relationship between the act and sanction. In fact, IHEC determined illegal acts and sanctions separately without clarifying the link between the type of behavior and the severity of the sanction, granting the commissioners’

¹ Article 13 and 14 of electoral law 5/2020

² Decision 14 of extraordinary record 59 of 8/10/2021 to dismiss a candidate’s complaint 149/campaigns/2021. Decision 14, record 37 of 6/10/2021 to dismiss a candidate’s complaint 90/campaigns/2021. Decision 10 of ordinary record 34 of 27/9/2021 to dismiss a candidate’s complaint 21/campaigns/2021.

³ Decision 17 of ordinary record 37 of 6/1-/2021 to dismiss a candidate’s complaint 84/campaigns/2021.

⁴ Article 22 of electoral law 9/2020 stipulates: “free electoral campaigns are a right guaranteed to the candidate pursuant to the provisions of this law, starting the date of candidates lists confirmation by IHEC and ending 24 hours before the vote”.

⁵ RAGNHILD MURIAAS, AMY G. MAZUR, SEASON HOARD, Payments and Penalties for Democracy: Gendered Electoral Financing in Action Worldwide, *American Political Science Review* (2021), p1. doi:10.1017/S0003055421000976



board absolute discretion in determining the sanction and the proportionality with the act. The board shall decide if the act requires the imposition of a financial penalty on the candidate, revoking the candidacy, eliminating the votes or any other sanction pursuant to article 7 of the complaints and appeals law. This entails a review of the instances that require revoking the candidacy or imposing a sanction to limit the board's discretionary power.

CHAPTER 4

CMC processes

According to the Coalition Provisional Authority's order number 65/2004, the CMC is the exclusive media regulator in Iraq and has regulatory authority thanks to the media regulatory lists in all its forms and types. Therefore, the CMC issued several processes to ensure media respects individuals' access to information and freedom of expression.

1. Decision on regulating forms of expression in licensed media

The CMC passed decision 89 in 28/7/2021 based on the media broadcast rules list on 16/5/2019 issued pursuant to decision 8/2019, which included 11 standards that should be followed by the media to regulate all forms of expression without inciting to hate, violence, racial, national, religious, or intellectual intolerance and any other cause of strife or conflict in society, including:

1. Prohibit media appearance of any person that might threaten the democratic regime, disrupt the elections or any other democratic practice.
2. Avoid addressing subjects that threaten civil peace.
3. Avoid discussions that promote any form of terrorism or terrorist groups.
4. Refrain from any material that might be offensive to religions, confessions, religious symbols, beliefs, or other religions.
5. Prohibit indecent or clearly compromising discussions that are disrespectful or profane.
6. Reinforce and regulate media rhetoric and protect society from all forms of conflict and sensitivity that might cause strife, conflict, and infringement of the law.

2. Issuing of women media empowerment regulations

On 12/9/2021, the CMC announced the passing of a women media empowerment regulations during electoral campaigns by amending the rules of media coverage in 2014 elections and adding article (9) on "media empowerment of women running for



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elected office”, a qualitative leap that guarantees positive protection in media activity and ensures protection against verbal abuse or any violation committed by the media during political campaigns to enhance electoral security.

This process:

1. Guarantees the female candidate to uphold her right to promote her electoral program without abuse of violation.
2. Is an integral part of the list of rules of media coverage issued in 2014 to promote gender-neutral media performance.
3. Constitutes a commitment made by media institutions to present fair content away from any discrimination or abuse either in electoral campaigns coverage, political talk shows or through the general guidelines set forth in the list¹.
4. Media institutions shall respect a number of commitments during electoral campaigns coverage:
 1. Refrain from publishing biased media content inciting hate or violence against female candidates.
 2. Refrain from showing indecent or immoral media content.
 3. Avoid generalized accusation against female candidates to prevent creating an inappropriate and stereotypical image of said candidates.
 4. Refrain from addressing female candidates’ private life.
 5. Respect candidates with disabilities and refrain from spreading any material that might be offensive, derogatory or ridicule.
 6. Ensure accuracy and precision when publishing candidate-related information and data, and allow for retractions, corrections and apology for publishing information deemed incorrect to the candidate.

3. Violations documented by the CMC

The CMC published the detailed report number 189 on media institutions professional performance during the electoral campaign, covering the period between 10/8 to 9/10/2021 of different audiovisual media institutions, to determine their commitment to the professional code of conduct. The report covered 74 media institutions which performance was assessed and monitored and included 3 grave violations against female candidates, in breach of article 2 of media coverage rules (balanced media coverage):

¹ Statement of Mrs. Ava Faeq Nader, member of CMC, publish on the institution’s website <https://almadapaper.net/view.php?cat=247853>



1. Broadcast the statement of a candidate in which he is requesting financial payments to convince a female candidate to withdraw for his favor¹.
 2. Spread news on a governor financially and administratively supporting a female candidate²
 3. Publish a clip in which a female candidate says “your corruption shall not last...”³
 4. The report did not include any gendered media violation or hate speech directed against female candidates.
4. Media organizational framework assessment

CMC efforts in these elections were commendable in developing media lists to achieve professionalism in media performance especially given its impact on the public opinion. However, an amendment was introduced 60 days after the beginning of the media campaign ensuring equal and fair media coverage based on gender equality; article 9 enhanced female candidates’ empowerment and protection and is an achievement they will carry in any future election.

CHAPTER 5

Legal texts on electoral campaigns crimes (compliance)

Implementation mechanisms constitute legal guarantees that ensure effective and equitable implementation without discrimination and to assess the framework’s effectiveness in achieving its objectives and Iraq’s respect of its international commitments.

The monitoring, follow-up, and assessment of the IHEC revealed that several complaints of violations filed by female candidates were rejected for numerous reasons, chief among which:

- Insufficient evidence annexed with the complaint
- IHEC absence of jurisdiction to find proof
- Violations fall outside the IHEC jurisdiction

This discrepancy results from an issue in the parliamentary election law and the IHEC regulations that grant it procedural powers allowing it to pass

¹ CMC, detailed report of media institutions professional code of conduct, 189, p.9

² CMC, detailed report of media institutions professional code of conduct, 189, p.13

³ CMC, detailed report of media institutions professional code of conduct, 189, p.70



procedural decision and impose electoral sanctions on violators¹, all the while receiving and referring appeals. Should the complaint be criminal, the IHEC shall refer it to the relevant judiciary², since its jurisdiction strictly relates to violations of the electoral process without addressing personal attacks against candidates³. Such violations shall not fall under its jurisdiction and the candidate shall refer directly to the judiciary to settle such violations. In fact, the IHEC should distinguish between elections-related and campaign or candidacy-related violations; the penal code texts in fact regulate the first and grant the female candidate the ability to seek redress in the courts immediately, whereas violations pertaining to her candidacy or electoral campaign shall fall under IHEC jurisdiction and the IHEC shall refer the matter to the judiciary once the complaint is filed by the candidate provided that the candidate has the intent to take legal measures against the perpetrator. If violation or contravention is indeed unlawful, the criminal judge's verdict shall second IHEC decision to impose an electoral penalty to uphold the candidate's rights during the electoral campaign which once concluded, violations perpetrated shall not be investigated by the IHEC board⁴.

- Adequacy of legal texts to address electoral crimes (texts analysis)

Despite the importance of legal texts in the chapter related to electoral crimes, texts remain inadequate and should adopt more strict penalties to protect the peaceful transfer of power, highlight legal protection and describe criminal behavior, as well as other relevant elements to provide evidence, especially that most texts expressly include criminal intent (influencing voters opinions⁵, harming the candidate⁶, or transfer of votes⁷). Therefore, the general intent should be highlighted

¹ Article 8 of the complaints and appeals law 7/2020 stipulates "the council shall take disciplinary measures when violations are committed or when IHEC regulations and instructions are infringed, and no complaints are filed".

² Article 18 of IHEC number 31/2019 stipulates: "first: the IHEC council shall resolve complaints and refer penal cases to relevant authorities if evidence of electoral misconduct is presented"

³ IHEC noted several cases of personal attacks against candidates even in electoral campaign cases. It is unable to pass a decision and a lawsuit should be files before a criminal judge by the victim.

⁴ Article 5/3 of the complaints and appeals law number 7/2020 stipulates: "electoral campaigns complaint shall be filed from the date the violations are committed until the deadline stipulated by the electoral campaigns law"

⁵ Article 32/4th of the parliamentary elections law number 9/2020 on spreading false news on candidates' behavior

⁶ Article 35/1st of the parliamentary elections law number 9/2020 on attacks against candidates' pictures and programs

⁷ Article 35/2nd of the parliamentary elections law number 9/2020 on false announcement of candidates' withdrawal.



to establish legal liability; and other texts requiring consequences shall be amended to limit them to the criminal behavior.

CHAPTER 6

Campaigns methods used by female candidates

1. Few female candidates adopted slogans associated with the issues of women or children, despite their importance and relied on slogans calling for economic and political reforms. They relied on forms of expression to distinguish their campaigns and to shed light on their political role, away from core women's issues¹.
2. This point is particularly crucial: the extent of usefulness of a female candidate's espousal of a patriarchal discourse or attempt to imitate male candidates' tactics in promoting their elections program. A line should be drawn between strengthening women's role, which would increase their participation in the decision-making process, and women's adoption of a patriarchal discourse that would shun women from their environment.
3. Sponsorship of youth activities, especially sporting events. This was met with hurling insults and curses when these events were announced on social media. This reflects the rejection of female sponsorship of male related sporting events, even if these sponsorships were important to win over the young.

1. Communication in the Digital Sphere

Social media platforms have become a mean of spreading information, opinions, and news. These platforms have become news outlets, creating content, and lifting all barriers and borders separating traditional media content from personal communication. This has created an interactive communication pattern founded on free and direct communication between sender and recipient. Facebook for instance, constitutes an effective tool for the young to receive and follow candidates' news and election programs². Election campaigns are no longer limited to the traditional media,

¹ Mued Fayyad, Election Campaigns...Digitally Modified Photos and Hackneyed Speeches amid "False Promises", an article on the news website Rudaw <https://www.rudaw.net/arabic/middleeast/iraq/0909202112>

On the other hand, a female candidate in Baghdad, Sara Allawi, was subjected to a hate campaign on social media platforms for announcing in a press conference that she will oppose the amendment of the provisions of Article (57) of the Personal Status Law concerning the mother's right to custody over her children.

² For further details, see Dr. Bushra Daoud Al-Sanjari and Dr. Sinihat Muhamad Izzidin, The Role of Social Media Websites in Strengthening Iraqi Youth's Electoral Participation, the Egyptian Journal of Media



given the incentives offered by social media outlets, such as the low cost compared to tv or newspaper advertisements, and the ability to choose the targeted audience. In addition, these platforms do not breach the health precautions taken in response to the Covid-19 pandemic, which persuaded female candidates to adopt all available, especially digital, communication tools and methods that connect people.

The virtual social environment plays an active role in mobilizing public opinion and guaranteeing communication and participation by tackling and handling social issues and incidents. Thus, it becomes an interactive media platform offering the ability to voice an opinion and to exchange thoughts and information, in addition to influence, to a great extent, hesitant voters who do not support a candidate on an ideological, tribal, or dogmatic basis¹, particularly given the effectiveness of paid advertisements on digital platforms; especially ads that consist of valuable information for users and influence their behavior².

Given the difficulty of monitoring and tackling violations on social media, despite the crucial need for curbing them, most recorded violations were the result of misuse of the freedom of speech. Nonetheless, contemplating the exhaustive eradication of these behaviors is an attempt to tilt at windmills.

2. Aspects of violence in digital campaigns

Two forms of violence were observed on social media. The first form is direct physical violence, while the second is more symbolic and achieves its goal by implicitly sending signals and signs to all. Female candidates in the public sphere have confronted patterns of discriminatory attitudes, online and in real life. However, online abuse was much more important in scale, spread faster, and not only did it tarnish the image of female candidates, but also undermined their freedom of expression and their right to voice their opinion³. Examples abound of these instances:

1. Many female candidates were targets of political ridicule, misogynistic humor, or demeaning and sexual jokes, posted on influential accounts on

Research, Volume 2019, Issue 66, Winter 2019, Pages 707-741. News of the 2018 Elections were followed on Facebook by 96.8% of survey respondents. Study published on https://ejsc.journals.ekb.eg/article_86851_18d975a8788148a6fad10c94028abb0.pdf

¹ Dr. Safad Al-Shamari, "Does social media have an impact in changing the convictions of Iraqi voters?" - published on the website of Baghdad's Al Sabaah Newspaper, 15/9/2021

² Dr. Ahmad Abdulsalam, "Factors of Advertisement Effectiveness on Social Media" – the Egyptian Journal of Media Research, Issue 76, 2021, Page 454.

³ Ingibjörg Sólrún Gísladóttir, Secretary-General Deputy Special Representative for Political Affairs and Electoral Assistance, "Defamation on social media platforms remains a major obstacle to enabling women's participation and therefore is also a major hurdle on the road that leads to genuine democracy and effective governance."

<https://iraq.un.org/ar/122181-falyt-alywm-aldwly-llmrat-klmt-alsydt-anghybywrgh-swlrwn-ghiyshladwtyr>



social media platforms, shared by digital ad creators and political satire shows¹.

2. Advertisement content posted on social media was distorted by rivals and bombarded with frequent comments used to harass and bully the candidates. Their statements were not taken seriously, and their truthfulness was questioned.

3. Personal or campaign accounts of female candidates were, on more than one occasion, the target of hacking or identity theft attempts.

4. Female candidates were the target of misinformation campaigns: doctored photos or made-up statements offending the beliefs of a religious or social group were posted, as a form of unlawful targeting of rivals.

5. Once we analyze the violent incidents observed and listed in the monthly monitoring reports in seven governorates as social media behaviors, tracking the reoccurrence of some actions or statements will lead us to conclude that the style used in posting or commenting is sometimes akin to holding a stick or a firearm, and at times represents psychological or physical threats, and is a tool used by some individuals (fake or identifiable accounts) who exploit the freedom they enjoy to launch organized negative or defamatory campaigns by posting a flood of misleading or contradictory information to confuse public opinion or in some cases for the purpose of blackmail. On the other hand, these sites play a second role, since they may be turned into an ideological tool that reflects on real life, and target rivals repeatedly and continuously, as was the case of one female candidate in Baghdad. One female candidate was the target of an organized campaign of sponsored pages for a while at the outset of the race, even if the political clout of the candidate and her performance towards her constituency allowed her to remain unscathed; she even won the first seat in her district.

CHAPTER 7

Analysis of the database of recorded violations

We must reaffirm in advance that the database compiled throughout the project does not necessarily encompass all violations committed against female candidates in Iraq's elections. It is limited to violations reported or monitored through the various tools adopted by the project.

To analyze the recorded data of violations committed during the election campaigns, two forms of analysis are used. The first method of analysis relies on numbers compiled in databases, while the second method includes the analysis of the discourse or violation, and its significance.

¹ Political satire shows, such as Al-Bashir Show and the show Mugas (*scissors*) dedicated various segments to undermine the media discourse of some female candidates, going even further to comment on their personal choice of clothing, poking fun at and ridiculing them



First: Numerical analysis of violations

Monitoring of violations against female candidates was based on the analysis of data available on the interactive electronic map. The map's listed reports were filtered by the technical expert Tech4Peace, which ascertains the existence of evidence proving the violation, by relying on data and information available online, and analyzing reports prepared by partner organizations that adopted human monitoring, through field visits, direct meetings with female candidates and stakeholders, in addition to the information covered by the media and websites. Hence, its data of monitored violations is of a higher numerical value. The discrepancy in the data is due to violations monitored manually without the use of electronic means. This does not mean that the figures are comprehensive, but they show the violations that observe the terms of the adopted monitoring protocol, and that were accessible, since at times, female candidates refrain from reporting the violation for personal reasons.

1. Analysis of cases of hate speech and gender-based violence, according to the interactive electronic map.

- a. The percentage of reported cases according to the interactive map data reached (72%) in September. The remaining cases were recorded in October (28%), while no violations were reported in November. Cases reported by individuals represent (10.6%) of the overall received reports, while the rest was reported by Civil Society Organizations: the Iraq Foundation (32.5%), Awan Organization for Awareness and Capacity Development (19%), Al-Haq Organization for Human Rights Culture (18.3%), the Observer Human Rights Center (6.5%), Iraqi Al-Firdaws Society (5.8%), Al-Noor Universal Foundation (5.1%), Hammurabi Human Rights Organization (2.3%).

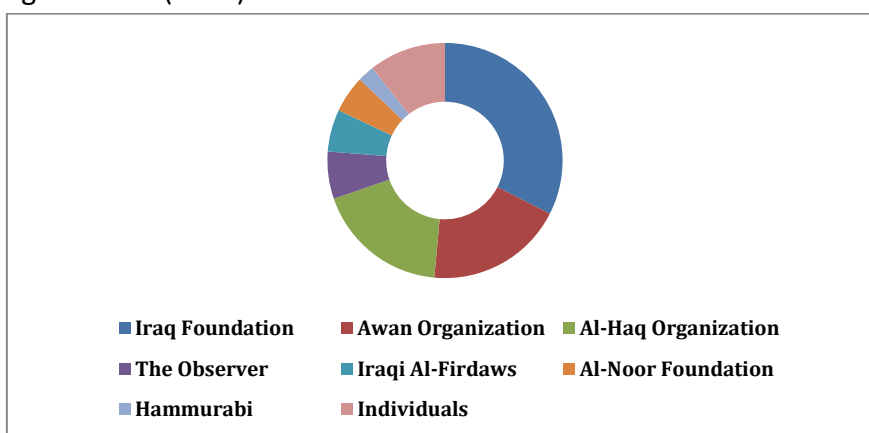


Chart (2) Percentages of recorded data on the interactive map



b. The geographic location of committed violations

The website of the interactive map for monitoring violations received reports of up to (309) cases. After examining the reports as per the adopted protocol, the validity of (222) cases was established, while (87) reports were dismissed for the inability to electronically ascertain the validity of the information, for lack of considerable trustworthy evidence, or for lack of any case related information online, making them invalid. The governorate of Baghdad was in the lead, and recorded (35.1%) of total violations with (78) cases, followed by Kirkuk (12.6%) with (28) cases and Basra (9.9%) with (22) cases. Baghdad's lead is due to the highest ratio of violations to the number of its female candidates, which recorded (29.7%) of the overall number of female candidates, in addition to the fierce competition in some electoral districts, as a result of the diversity and variety of opinions. This is also the case for the governorate of Kirkuk, characterized by its national, religious and sectarian diversity. The governorates of Maysan (.05%) with (1) case and Karbala (1.4%) with (3) cases had the least recorded violations, while the region's governorates did not show any cases of violations recorded electronically.

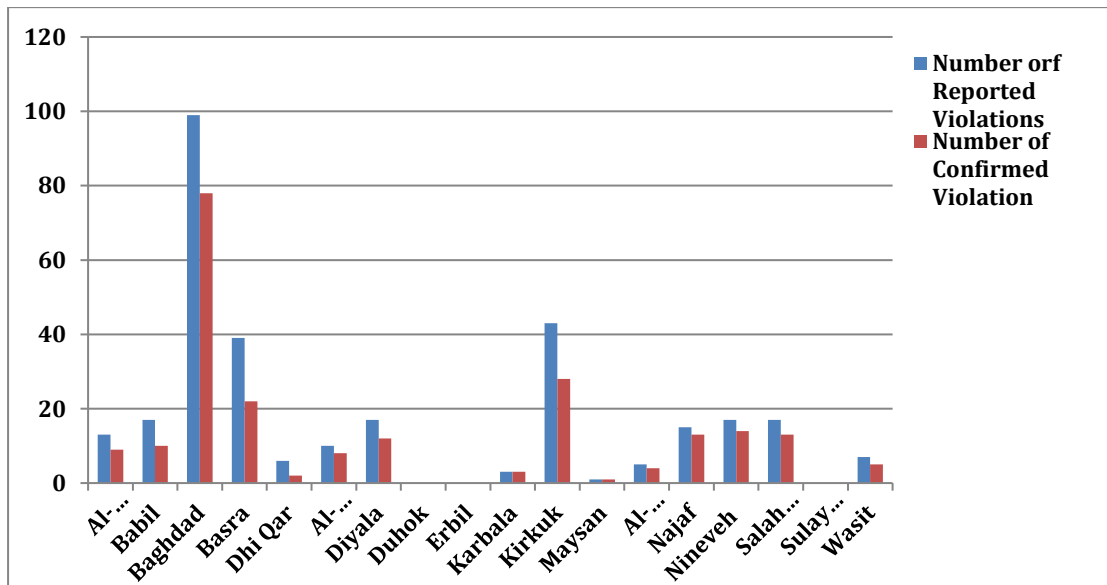


Chart (3) Violations on the interactive map, divided by governorate

c. Types of violations

In terms of the types of violations against female candidates, hate speech ranks first with (55.4%) of recorded cases, followed by attacks on campaign posters with (11%) of cases, defamation (10%), fake news (9%), harassment (6%), threats (5%), blackmail and assassination attempts (2%). This confirms that social behavior during the election campaign is still hostile to female candidates with its discriminatory gender-based



discourse, especially on social media, as there is a lack of adequate legal deterrents to prevent these practices. As for attacks on posters of female candidates, they sometimes reflect social behaviors, while at times, they are a method of illegal rivalry amongst candidates.

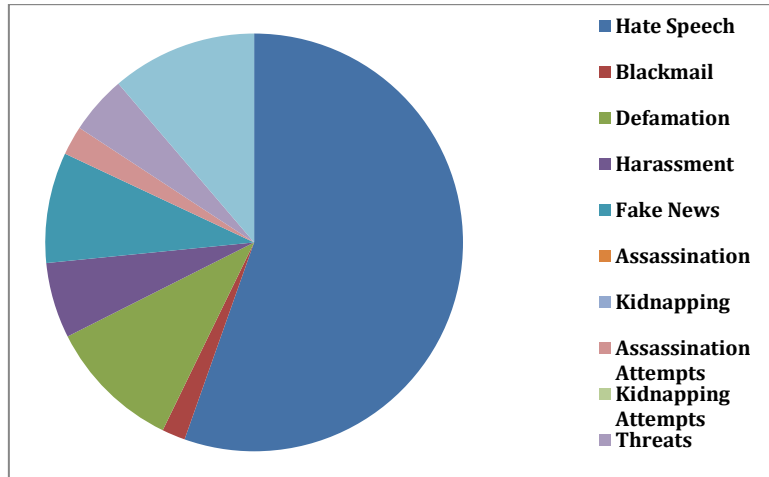


Chart (4) Percentage of Proven Violations Recorded on the Interactive Map, by Type

d. Violations, by type and location of occurrence

In the tables listing the number of violations for every governorate by type of violation committed in the 15 governorates except for the Kurdistan region, where no electronic reports were submitted in the interactive map of the governorates of Duhok, Erbil and Sulaymaniyah and according to Chart (5), the governorate of Baghdad recorded the highest level of violations pertaining to hate speech, defamation, dissemination of fake news, harassment and finally assassination attempts, compared to the overall number of recorded violations, which reflects the fierce competition resulting in frequent and widespread violations against female candidates, especially since Baghdad had the highest number of female candidates. The governorate of Salah Al-Din recorded the highest number of threats, followed by Najaf and Basra. This indicator reflects the gravity of illegal methods used to eliminate rivals. Kirkuk came first in the number of cases of attacks targeting candidates' photos and tearing them apart, followed by Baghdad; the overall percentage of violations in both governorates surpassed 55% of the total number of attacks on candidates' photos.

On the other hand, hate speech was the dominant type of violations in all the governorates except for Najaf, where it came second to attacks on candidates' photos. That is due to the conservative and religious character of the city, restricting the spread of this discourse, even if that does not eradicate it completely.



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It is also noticeable that no violation of physical freedom, such as kidnapping, attempted kidnapping or arrests were recorded. In addition, no assassinations were documented, while 8 assassination attempts, violating the right to life, were documented, half of which occurred in the capital, Baghdad, followed by Salah Al-Din with 2 incidents, Najaf and Al-Muthanna with one case each. This reflects the tight competition that leads to the adoption of violent methods, aiming at eliminating rivals by any means necessary. These acts are usually committed by rival candidates or their supporters, acting on candidates' implicit or explicit request. These crimes fall by law within the scope of serious crimes and committing them is incompatible with an individual's belief in the freedom to vote and to stand for election, but they reflect the willingness to win a seat necessary, including illegal methods. No candidate was officially accused of committing these acts, since most violations were recorded against persons unknown or are still under investigation.



	Baghdad	Al-Anbar	Babil	Basra	Dhi Qar	Al-Diwaniyah	Diyala	Karbala	Kirkuk	Maysan	Al-Muthanna	Najaf	Nineveh	Salah Al-Din	Wasit
Hate Speech	60	8	10	24	6	7	9	3	22	1	2	4	12	7	4
Blackmail	1	0	1	1	0	0	1	0	1	0	0	0	1	0	0
Defamation	12	2	0	2	0	0	3	0	3	0	1	2	3	1	0
Harassment	7	0	1	3	0	0	1	0	3	0	0	0	0	1	1
Fake News	8	1	2	4	0	0	1	0	5	0	1	0	0	1	2
Assassination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assassination Attempts	4	0	0	0	0	0	0	0	0	0	1	1	0	2	0
Kidnapping Attempts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Threats	0	0	0	2	0	1	0	0	0	0	0	3	0	5	0
Attacks on candidates' photos	7	2	3	3	0	2	2	0	9	0	0	5	1	0	0
Total	99	13	17	39	6	10	17	3	43	1	5	15	17	17	7

Table (1) Number of Violations by Governorate

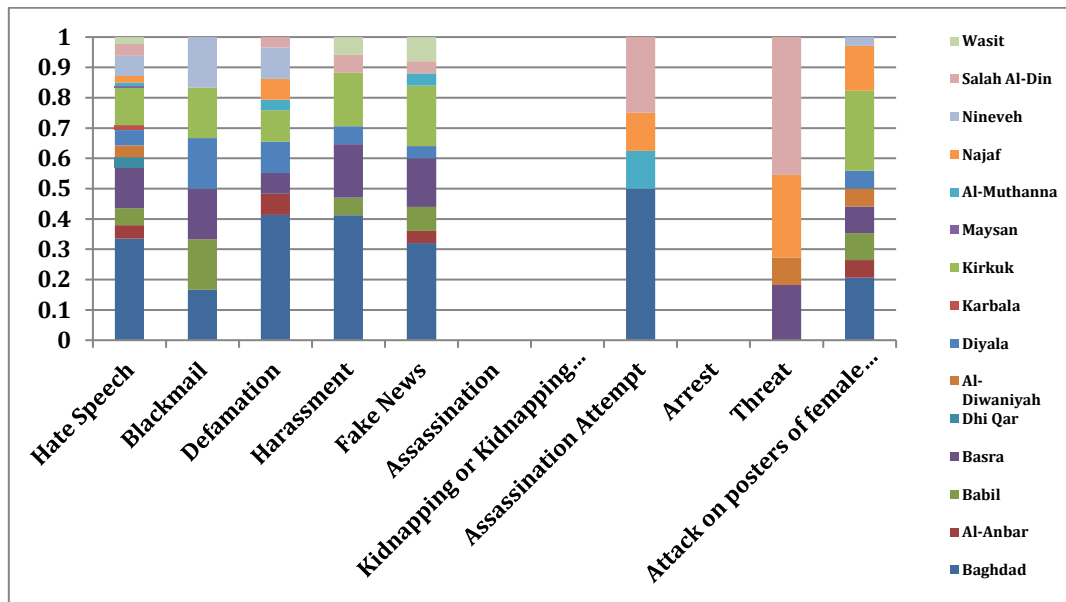


Chart (5) Ratio of types of violations by governorate, to the overall number of each type of violation

2. Analysis of gender-based violations based on the documented database of partner organizations

The interactive map relied on reports submitted on the website. The submitted information are processed considering the available online data that ascertain their validity. In parallel, a monitoring process was duly conducted by Civil Society Organizations in seven governorates in addition to the documentation of cases occurring in regions not geographically covered. These organizations relied on human effort, direct contact with female candidates, tracking social media platforms to monitor, document and record perpetrated violations, in addition to monitoring cases that were not raised in the media or on social media platforms, by conducting field visits and contacting stakeholders.

The analysis of data submitted by the organizations in line with the protocol adopted to accept the documentation of a violation and its evidence, allows us to delve into the details, as follows:

1. The chronological distribution of violations reveals an increase in recorded cases during the election campaign, which ended on 9/10/2021, with (166) female candidates reporting violations against them, in comparison with (311) committed violations, i.e., the highest number of violations were committed prior to the election silence day, on which only 2 violations were recorded, followed by 3 cases on polling day. The numbers dropped



significantly then rose relatively after voting day, when (16) female candidates were subjected to (28) violations, thus putting the total number of violations at (344) cases. It is noteworthy that some violations against female candidates are recurrent, which confirms that this discriminatory behavior, even if it exists as a social behavior given the violations monitored after the elections, is mainly motivated by electoral rivalry and the lack of belief in women’s competence to hold elected office, which exacerbates these behaviors during the campaign.

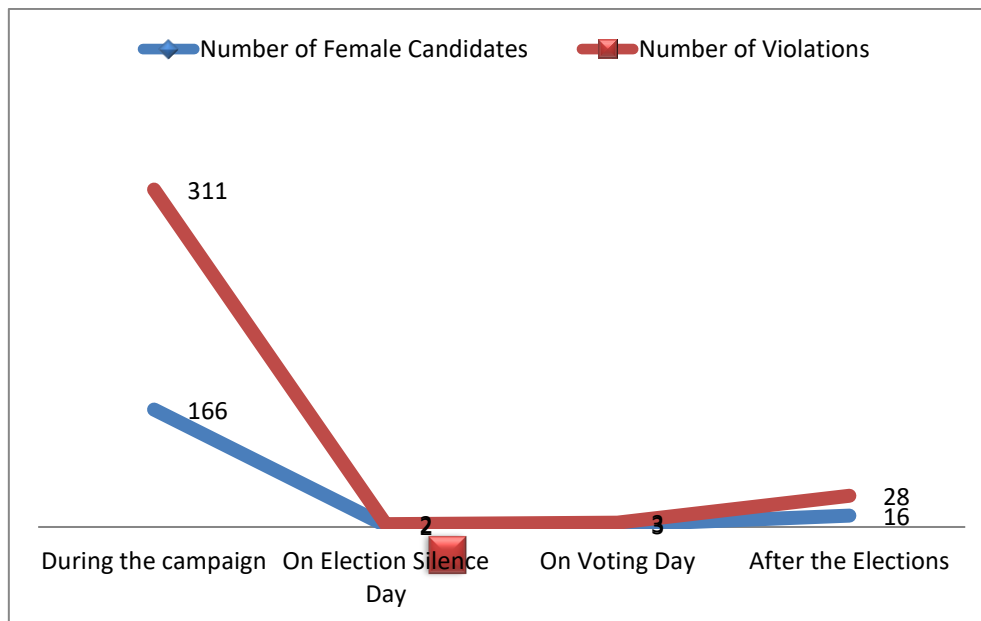


Chart (6) Distribution of Monitored Violations by Period of Time

1. Analysis of results, by governorate

According to reports by partner organizations, which included the monitoring of committed violations, violations could be divided as shown in the Table below, and an analysis of figures at the governorate level could be undertaken.



	Baghdad	Al-Anbar	Babil	Basra	Dhi Qar	Al-Diwaniyah	Diyala	Karbala	Kirkuk	Maysan	Al-Muthanna	Najaf	Nineveh	Salah Al-Din	Wasit
Number of Violations	108	8	15	43	7	14	20	2	52	1	5	14	20	30	5
Hate Speech	57	5	10	25	4	8	14	2	25	1	2	4	12	8	3
Fake News	9	0	0	4	0	0	1	0	2	0	1	0	1	0	1
Assassination Attempt	2	0	0	0	0	0	0	0	0	0	0	0	0	2	0
Attacks on Photos	6	1	2	2	0	2	1	0	19	0	0	7	0	1	0
Threats	0	0	0	0	0	1	0	0	2	0	0	2	0	7	0
Defamation	10	0	2	3	2	1	2	0	0	0	1	1	5	12	0
Bullying	0	0	0	3	0	1	1	0	0	0	0	0	0	0	0
Assault	2	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Other	31	2	1	6	1	1	1	0	4	0	0	0	2	0	1
Number of Female Candidates	40	4	4	20	6	10	9	2	22	1	5	10	11	18	4
Female Candidates endorsed by parties, part of a political coalition	32	4	3	17	4	8	8	2	16	0	4	5	10	11	2
Independent	8	0	1	3	2	2	1	0	6	1	1	5	1	7	2

Table (2) Number of Female Candidates and Types of Violations by Governorate

• **Baghdad**

Forty female candidates were subjected to (108) violations. Eight independent female candidates were subjected to (15) violations, and (32) female candidates, endorsed by political parties, were targeted with (93) violations. These violations occurred in (13) electoral districts, but most of these violations were perpetrated in electoral districts (11) and (12). Most of these violations were related to hate speech with (52.7%) of the



overall number of violations in the governorate, followed by defamation (9.25%), as shown by the following figures:

a. Baghdad’s electoral districts with the highest recorded violations were districts 11,12,13, and 2. Electoral district (2) recorded the highest level of recurrent violations with a frequent recurrence of 12 violations, followed by district (11) where an average of (6.3) violations were recorded per female candidate. This demonstrates that the recurrent violations target specific female candidates for reasons of political rivalry.

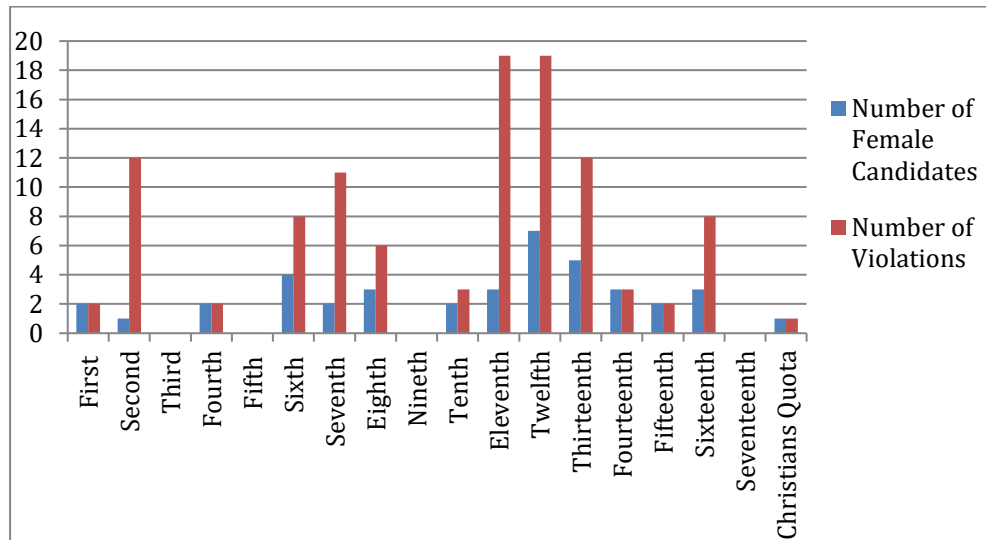


Chart (7) Distribution of Number of Violations and Female Candidates by Electoral District

b. Attacks against female candidates based on their political affiliation
We notice that female candidates endorsed by political parties (32) were subjected to (93) violations. This indicates an increase in recurrent violations against them, since they represent (80%) of the total number of female candidates, while (86.6%) of violations were recorded against them. Independent female candidates (8) on the other hand, were subjected to (15) violations.

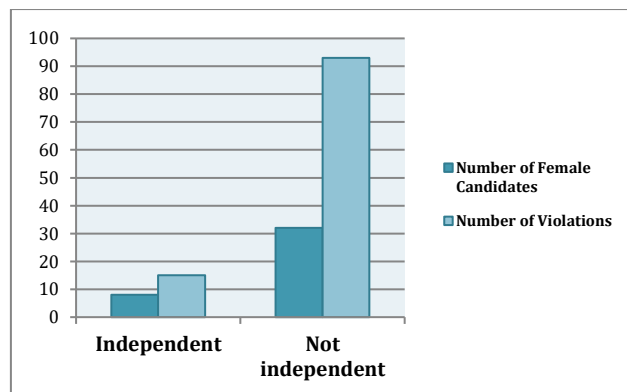


Chart (8) Number of violations based on political affiliation



c. Distribution of patterns of committed violations

It is noteworthy that gender-based hate speech represented the highest share of violations against female candidates in Baghdad, followed numerically by fake news and attacks targeting candidates' campaign posters, which reflects the need for legislative measures to be taken to oppose this discourse, especially on social media, where the highest number of cases was recorded.

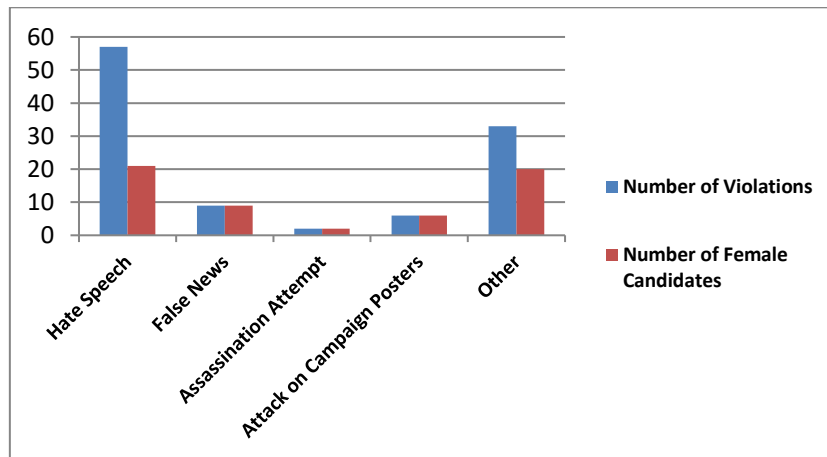


Chart (9) Distribution of Patterns of Committed Violations in Baghdad

• **Kirkuk**

The total number of registered violations (52) in all (6) electoral districts reached 35, distributed into 17 violations against independent candidates and 16 against party candidates. These figures indicate an increase in attacks targeting independent candidates, where recurrent violations percentage was 2.85 for each candidate, a higher rate of recurrence compared with political parties' candidates. Hate speech registered 48% of violations while attacks against campaign images 36.5%, indicating a specific pattern in most cases.

– Violations according to electoral districts

The following chart shows that the first electoral district recorded the highest number of violations (21), followed by the second district (16) and the third district (15); recurrence in the first district was higher than other districts, with 2.62 violations against each candidate, a clear indicator of illegal competition due to the rivalry among constituents.

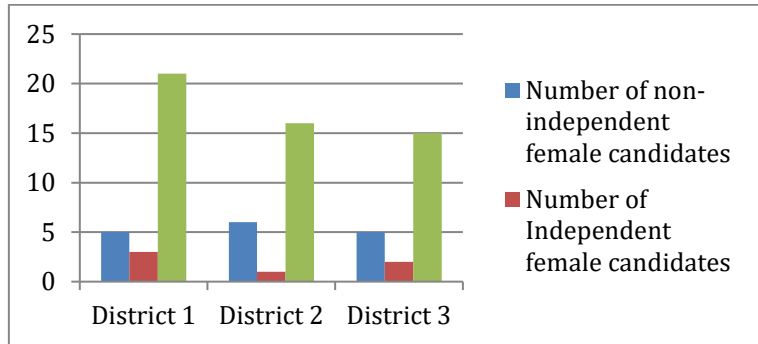


Chart (10) distribution of violations in Kirkuk electoral districts

• Basra

Results showed 43 violations against (20) candidates from the governorate, among which 3 independent and 17 on parties' lists. Most violations fell under hate speech, where 25 violations targeted 12 candidates, an increase by 73.5% in hate speech violations and recurrence against candidates.

– Geographic distribution of violations in the governorate

Electoral district (4) registered the highest number of violations (23) and recurrence rate of 3.2 for each candidate, focused mostly on hate speech while the electoral district 5 registered only one violation.

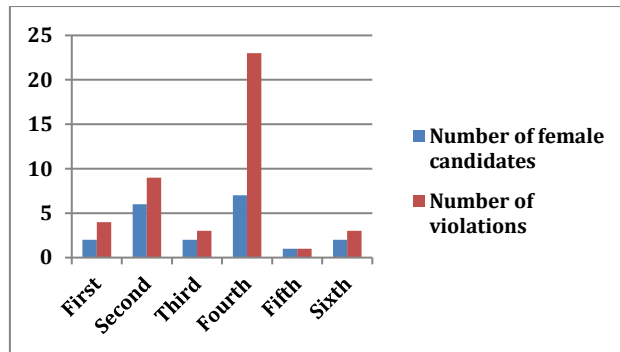


Chart (11) distribution of violations in Basra electoral districts

• Salah Al -Din

Results showed that 18 candidates from Salah Al-Din were subject to violations, of which 7 are independent and 11 on political parties' lists. A total of 30 violations was recorded, primarily defamation (11 violations), hate speech (8 violations) threats (7 violations) and 2 assassination attempts. This shows an exclusionary competition and promotes recurrences against the same candidate as well as harsh efforts to exclude candidates.

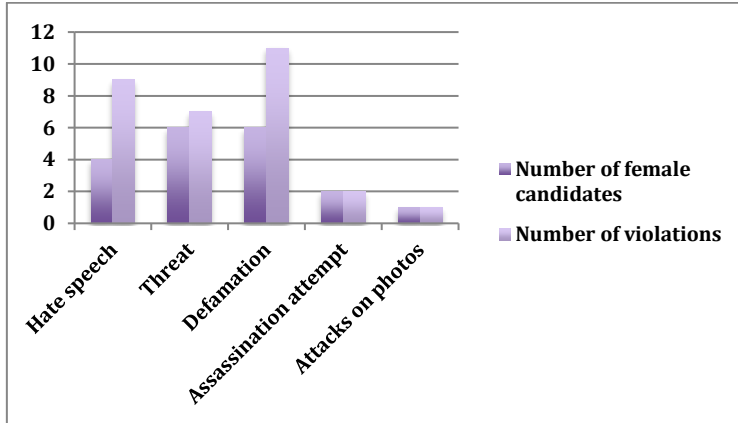


Chart (12) distribution of violations in Salah Al-Din electoral districts

– Geographic distribution of violations in Salah Al-Din

The third electoral district is leading compared with other regions, with 12 violations committed against 5 candidates, followed by district 1 with 9 violations targeting 6 candidates, whereas district 2 recorded 8 violations against 6 candidates, district 5 one violation while no violations were noted in district 4.

Despite the elevated number of violations in district 3, they were in fact recurrent cases of hate speech, defamation, attacks against electoral posters, whereas district one witnessed two assassination attempts in a clear indicator of the security threat candidates face with attacks targeting their right to life.

• Al Diwaniya

The total number of candidates that suffered violations reached 10, of which 2 are independent and 8 on political parties' lists. The majority of the 14 violations were hate speech (8 cases) and attacks against electoral posters (2 cases). 64% of violations were geographically focused on the first electoral district, followed by the third district (28.5%) while the second district came in last place.

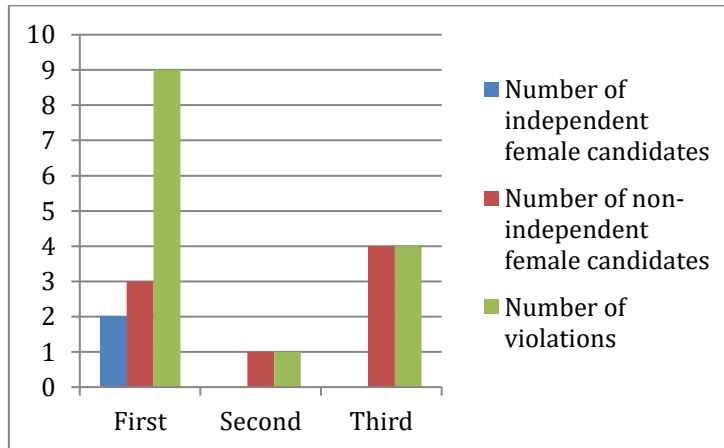


Chart (13) distribution of violations in Al Diwaniya electoral districts



- **Al Najaf**

Ten candidates, independent and politically affiliated equally, were subject to violations that mostly took place in the first district (12 violations out of 14), representing 85.7% of total violations, proving that these violations were politically driven. 7 violations targeted campaign posters while 4 were cases of hate speech mostly against independent candidates.

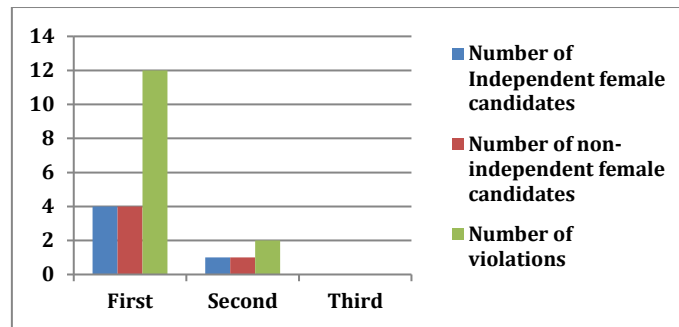


Chart (14) distribution of violations in Al Najaf electoral districts

- **Ninawa**

Eleven candidates, of which one independent, were subject to 20 violations of which hate speech constituted 60% and the rest threats, obscenities, and defamation. Geographically, district one registered 3 recurrent violations, while districts 6 and 8 (Christian quota) came in second place in terms of number of violations.

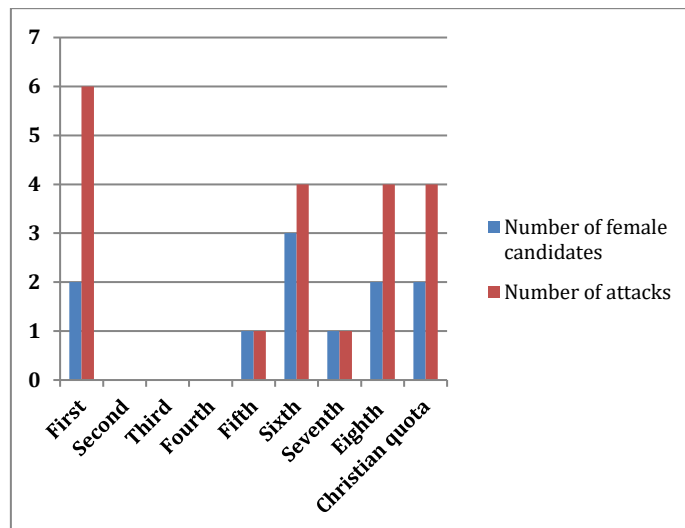


Chart (15) distribution of violations in Nineveh electoral districts

- The project did not include the remaining governorates.



Regarding other governorates outside the scope of the project, the following violations were noted as shown in table 6:

- 1- Al Anbar: 8 violations targeted 4 candidates, with half of them taking place in the second electoral district where competition over the quota seat is high
- 2- Karbala: 2 violations were registered against 2 candidates in the third district
- 3- Babylon: 15 violations targeting 4 candidates, where 13 were monitored in the first district of which 12 targeted the same candidate because of the increased political competition during the electoral campaign
- 4- Maysan: one violation
- 5- Wasit: 5 violations targeting 4 candidates distributed among the first and second districts
- 6- Dhi Qar: 7 violations against 6 candidates, half of them in the first district revealing the competition on the quota seat
- 7- Al Muthanna: 5 candidates, 4 of whom were in the first district, were subject to one violation each.
- 8- Diyala: 9 candidates were subject to 20 highly recurrent violations, mostly recorded in the second district, indicating a decline in the governorate’s socio-political diversity.

Hate speech constituted the most recurring violation in the 8 governorates outside the project’s scope with Diyala recording the highest number and Maysan the lowest. Babylon registered the highest rate of recurrence against one candidate while Maysan ranked last. The first district registered the highest rate of violations in Dhi Qar, Maysan, Wasit and Babylon, followed by the second district in Diyala, Maysan and Al Anbar and the third district in Karbala.

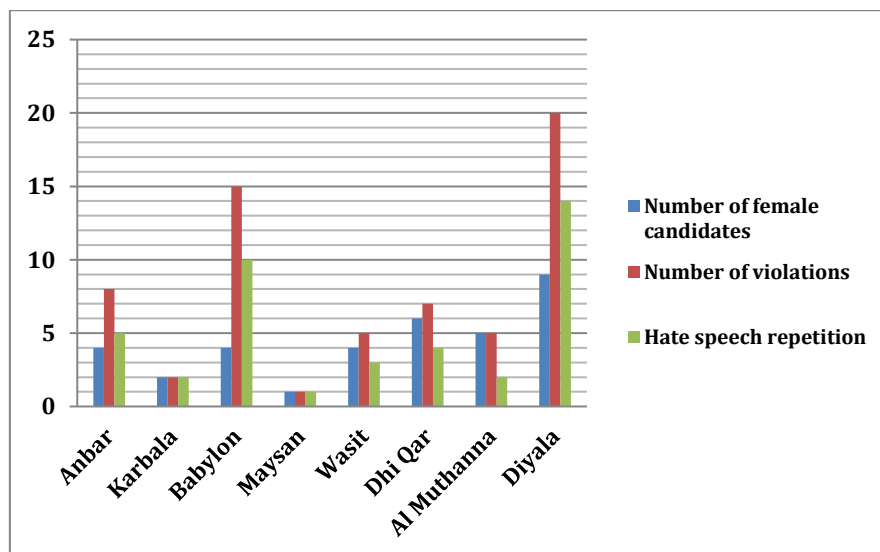


Chart (16) number of violations and candidates in governorates



2. We conducted an analysis of the number of violations distributed geographically in the project’s seven governorates as well as the remaining eight except for the Kurdistan region, excluded from the project. Numbers revealed that violations in Baghdad were the highest where 40 candidates were subject to 108 violations, followed by Kirkuk where 22 candidates were subject to 52 cases, Basra with 43 violations committed against 20 candidates. This reflects the impact of population density and the number of candidates compared with other governorates, creating stronger competition during the electoral campaigns that failed to abide by legal standards. On the other hand, Maysan and Karbala ranked lowest with one and 2 cases registered respectively.

Governorate	Baghdad	Kirkuk	Basra	Saladin	Nineveh	Najaf	Diwaniya	Al Anbar	Diyala	Dhi Qar	Muthanna	Babylon	Wasit	Karbala	Maysan
# Candidates	40	23	20	18	11	10	10	4	9	6	5	4	4	2	1
# Violations	108	52	43	30	20	14	14	8	20	7	5	15	5	2	1

Chart (3) numbers of violations and candidates per governorate

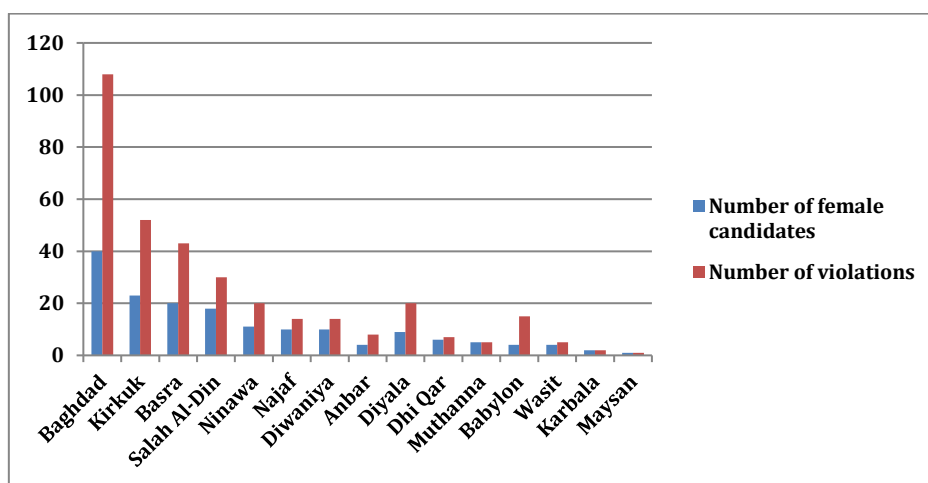


Chart (17) violations according to districts



3. Offenses registered in Baghdad reached 31%, reflecting the enormity of violations; in fact, 24% targeted candidates indicating a recurrence of 2.7 violation for each candidate, followed by Kirkuk with 15% violations and 14% of candidates, a recurrence of 2.3 against each candidate. In Basra, violations amounted to 13% which constitutes 12% of the total number of violations and a recurrence of 2.15. In Babylon, even though female candidates do not exceed 2%, registered offences reached 4%, the highest recurrence rate compared with other governorates, of 3.75 for each candidate.

This shows that these four governorates witnessed unlawful competition where violations collectively reached 63% with the 11 remaining governorates sharing the rest. It also indicates the recurrence of violations against specific candidates, especially in Babylon where most offences were committed against one candidate. Knowing that these governorates are religiously and ethnically diverse with strong political competition.

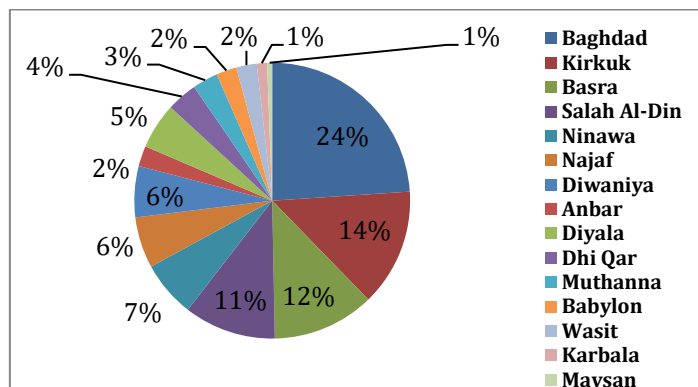


Chart (18) candidates % per governorate

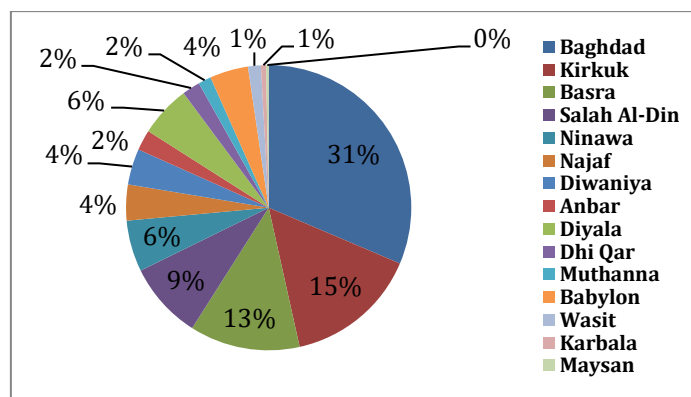


Chart (19) violations % per governorate

4. Recurrence reasons: recurrence data gathered shows that candidates 1-7 as per the table below) apart from candidate 5 share two common denominators:



they are current or former MPs and are members of political parties' lists (except for candidate 7). Candidates with previous political experience were more prone to criticism or hate speech. On the other hand, recurrence in Najaf, where only 2 cases were registered, was limited given the conservative nature of its society.

N	Nature of candidacy	Electoral district	# Registered violations	Former MP?
1	Political list or coalition	Baghdad/11	17	Yes
2	Political list or coalition	Babylon/1	12	Yes
3	Political list or coalition	Baghdad/2	12	Yes
4	Political list or coalition	Baghdad/7	9	Yes
5	Political list or coalition	Kirkuk/1	9	No
6	Political list or coalition	Diyala/2	8	Yes
7	Independent	Baghdad/12	7	Yes
8	Political list or coalition	Basra/4	7	No
9	Political list or coalition	Basra/4	6	Yes
10	Political list or coalition	Salah Al-Din/3	6	No
11	Political list or coalition	Baghdad/16	6	Yes
12	Political list or coalition	Basra/4	5	No
13	Political list or coalition	Kirkuk/3	5	No
14	Political list or coalition	Mosul/1	5	Yes
15	Independent	Salah Al-Din /1	4	No
16	Independent	Kirkuk/2	4	No
17	Political list or coalition	Diwaniya/1	4	No

Table (4)
Recurrence of violations against female candidates



5. Electoral districts with highest violations per governorate

Following are the districts that registered the highest number of violations against candidates: Kirkuk (1), Basra (4) registered 23 violations followed by Baghdad's 11 and 12th districts with 19 violations. A comparison of recurrent violations against a specific candidate puts Babylon in the first place with a recurrence rate of 12 per candidate, followed by district 11 in Baghdad with 6.33 violation per candidate, which reflects repetitive targeting of the same candidate as well as the intense competition and weak law enforcement in these districts, in addition to the spread of illegal competition among candidates.

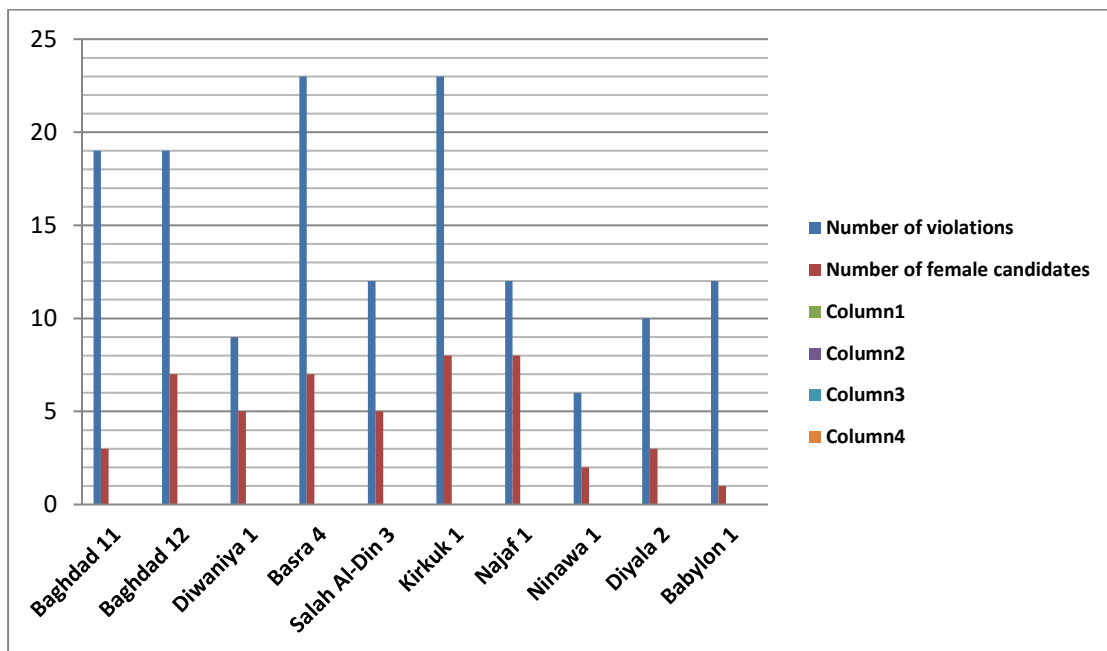


Chart (20) highest number of violations in electoral districts

Patterns and prevalence of violent behavior and hate speech

First: Numerical analysis of monitoring data.

1. The chronological distribution of violations reveals that (166) female candidates were victims of (311) violations, which indicates that most of these violations occurred prior to the election silence and voting days, since the figures dropped to a large extent and rose relatively after the polling day, with (16) female candidates being subjected to (37) violations.

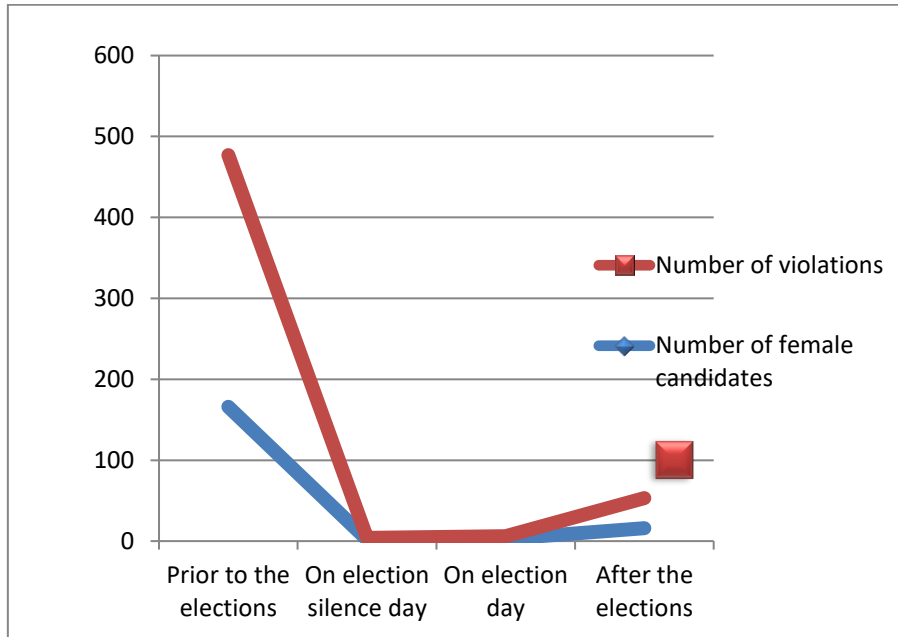


Table 2 Chronological Distribution of Violations

6. Based on a quantitative analysis of the number of violations that occurred, and their geographical distribution on the seven governorates subject of the monitoring report and the remaining eight governorates except for the Kurdistan region, which was not covered, the figures indicate that the electoral districts in Baghdad recorded the highest number of violations perpetrated against female candidates, followed by Kirkuk. The governorates of Najaf and Al-Diwaniyah recorded the lowest number of violations, which reflects the highly competitive nature of the race.

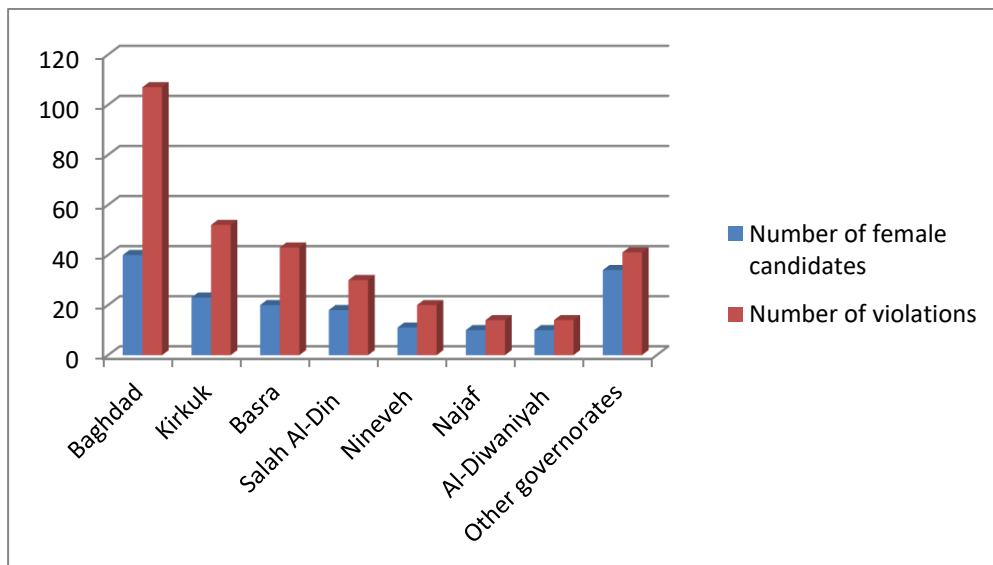


Table (3) Violations Distribution by Governorate



7. The compilation of monitoring data on frequent violations revealed that female candidates (1 - 7) except for one candidate (who has never won before) share two traits: they are MPs in the Council of Representatives or have previously held a seat in the Council and are running as part of an electoral list endorsed by a political party. Thus, female candidates with greater political experience were the ones more subjected to criticism and hate campaigns. On the other hand, the governorate of Najaf did not witness frequent recurring violations, which could be explained by the socially conservative nature of the governorate, since the recurring violations were repeated only twice.

8. Electoral districts with the highest recorded violations, per governorate

The districts with the highest recorded number of violations against female candidates, reflect the extreme rivalry among its candidates and weak law enforcement which led to a higher level of violation reoccurrence in these districts, in addition to the prevalence of illegal rivalry methods used by candidates.

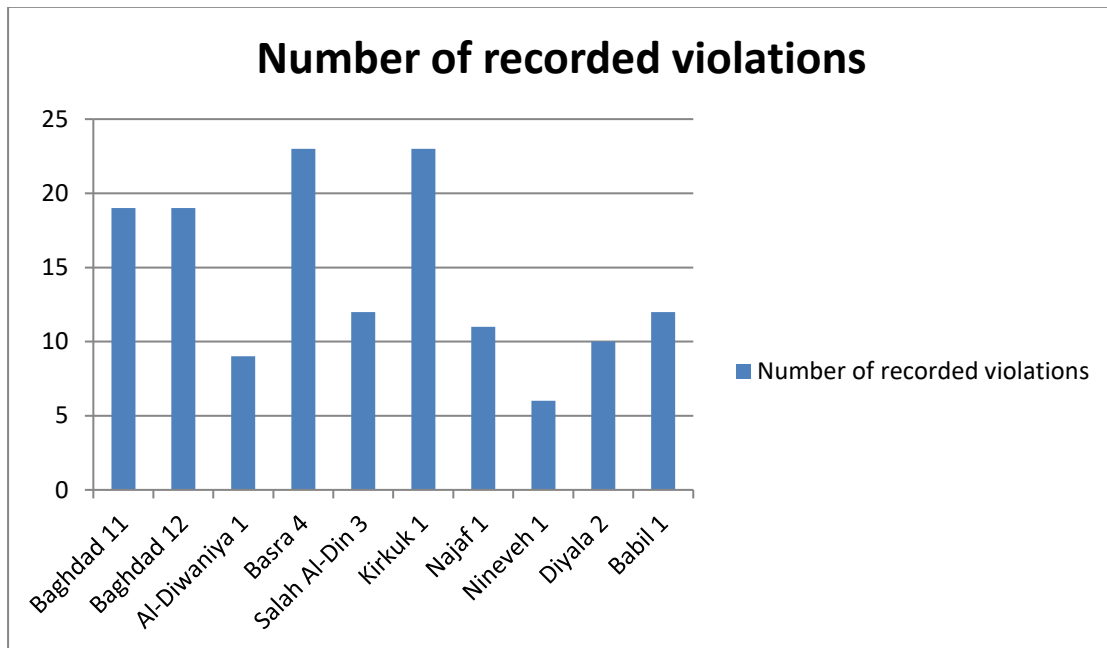


Table (5) Highest number of violations by electoral district

9. Patterns of perpetrated violations

Gender-based hate speech constituted the highest percentage of total violations committed against female candidates, followed by fake news and attacks on campaign posters, which indicates the urgent need for legislative measures to be taken to confront this discourse especially on social media.

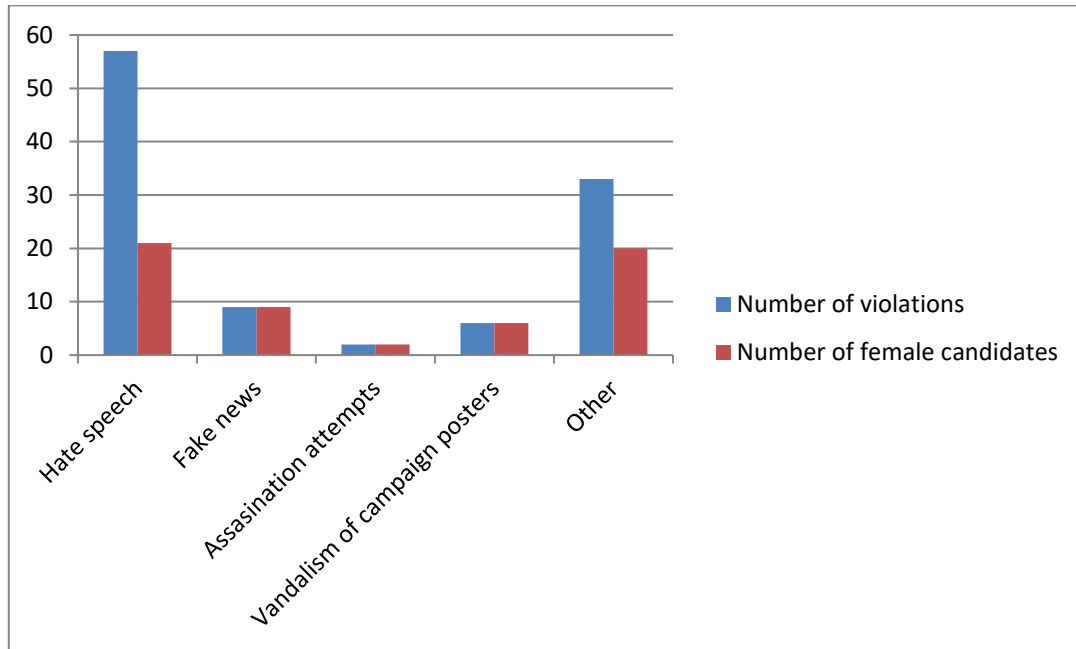


Table (6) Categories of perpetrated violations

Second: Analysis of patterns of hate speech and violent behavior.

Accordingly, and based on numerical monitoring data, gender-based hate speech constituted the highest share of reported and documented cases in the governorates. Hate speech and gender-based violence were, considering the analysis of submitted reports, identified by the Iraq Foundation and its partner organization, and categorized in several groups:

1. Physical violence: includes physical attacks or incitement to provoke physical harm, against female candidates or individuals close to them, and manifests through numerous practices and violations, of which:
 - Assassination attempts, directly or indirectly, against female candidates were recorded in different governorates that witnessed mounting competition to attract support. In Salah Al-Din, one candidate was victim of a poisoning attempt according to health authorities but refrained from filing complaint.
 - Cases of physical assault did not spare campaign staff. One candidate announced that some of her campaign team members were assaulted in Abu Ghraib District. Another candidate revealed that her husband was victim of armed assault (assassination attempt) on election silence day. The attack was followed two days later by an attempt on her



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house, resulting in material damages and the assault on her mother-in-law. Since the candidate was not home during the incident, she opted to file a complaint against the persons unknown responsible for the attack.

- A candidate announced that she was assaulted during her participation in a protest commemorating the popular protests of 2019.
- Some candidates exercise a monopoly in several regions of some electoral districts, where they prohibit or exert pressure on female candidates to prevent them from conducting any election related activity or putting up campaign posters in some regions of a tribal, slum-like nature or characterized by an ideological loyalty to a political party, since these areas are set aside for only one candidate. Proving these acts of prohibition is difficult since the threats are always sent through middlemen or by removing, tearing apart, defacing rival candidates' posters, or preventing them from organizing rallies with their supporters. These practices should be addressed legally by a government effort to protect candidates' election rallies and designate public spaces in every geographical area where one-size campaign posters of all candidates could be hanged, guaranteeing equality among them.
- Provoking racket and riot during election rallies, an act to which a female candidate in the Muthanna governorate was subjected and was forced to withdraw.

2. Emotional and psychological violence: emotional blackmail and control

Cases of psychological violence against women candidates may be the hardest to document, since they consist of acts that rely on exerting pressure on female candidates' morale and imposing a form of guardianship on their personal choices. In these elections, many female candidates did not use their photos and their campaign relied solely on their serial number and the name of the party on whose list they are running. That is due to several social reasons, since the distribution of women's posters in some region could be seen as an insult to the family, or for fear that the circulated picture might be vandalized in a hurtful manner.

- Death threats sent to many female candidates on social media or via direct messages, which had an impact on their campaign drive.
- Violation of the right to privacy by posting private family photos of one candidate with her husband and children, cutting out her children from the



picture, and posting the (false) news of an extramarital affair on social media, as a form of defamation and violation of the candidate's private life.

- Campaigns launched on social media considered that a female candidate running independently from the political party in the Maysan governorate was committing an act of treason. The candidate was targeted with insults and abuses by platforms supporting the political party's candidates¹.
- Fake profiles impersonating female candidates were created, to defame and slander by misleading followers and making them believe that the content (usually fake news or made-up statements) is posted by the candidate herself or her campaign team, which would damage and tarnish her image with her supporters².
- The campaign was used as an instrument of personal vengeance by some women, for reasons unrelated to the election, such as publishing photos of a female lawyer with the logo of the prohibited Baathist party as a form of political campaigning even though the lawyer was not running in the elections and was not in politics.

3. Sexual violence: this type of violence was perpetrated by:

- Harassment with the use of sexually explicit innuendos when female candidates post any campaign event or communicative material. These cases were largely recorded on social media platforms.

The repeated verbal abuse of a sexual nature, facilitated by technology, and to which some female candidates were subjected, limited their freedom to campaign and promote their discourse on social media. They also encountered other behaviors that undermine, harm and ridicule them using technology, which in turn restrict their freedom of speech and expression. These behaviors, collectively known as Technology-facilitated sexual violence (TFSV) exploit digital technologies to blackmail, control, coerce, harass, humiliate, defame, or violate others, which prompted some of the female candidates, in many instances, to respond by limiting or self-censoring their online presence in addition to partly withdrawing from the available online platforms, despite their considerable impact on the public sphere.

The spread of technology-facilitated sexual violence targeting women impedes women's freedom of expression in the public sphere, undermines their dignity, and

¹ https://www.facebook.com/permalink.php?story_fbid=346666423500081&id=106898597476866

² One candidate, an incumbent who was also targeted by similar campaigns of fake accounts created under her name, promoting negative news on her behalf as a form of counter-advertising. The complaint she filed (Q 21/364) of 14/9/2021 was rejected by the Commission on the basis that it is a form of defamation and an attack on her personal right, which should be filed before ordinary courts (Commission Decision N2 Report Minute 34 of 27/9/2021)



strengthens structural gender-based discrimination. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) reiterates the call for equality by urging all State parties to take all necessary measures, including legislations, to guarantee the full development, advancement and empowerment of women and ensure that they enjoy fundamental freedoms on an equal footing with men¹.

4. Verbal violence is the violation of women's dignity with insults, curses, threats, and bullying² as it encompasses any form of oral, written, or behavioral contact that attacks or uses a demeaning and discriminatory language when referring to an individual or a group of individuals, focusing on the disparity between genders. One must differentiate between the freedom of criticism that does not violate the legal provisions and hate speech. Criticism could take different forms and might even reach the limits of hate speech, since criticism examines the subject, passes judgement, and differentiates between the good and the bad, making it subject to an evaluation. When the individual crosses the line, and turns criticism into total rejection of others, based on their political affiliation or a preconceived notion of who they are, stemming from their beliefs, thoughts, or character, he propagates hate speech; for example:

- Commentators on social media platforms (especially Facebook) used sarcasm to ridicule (Al-Maddahin/ Al-Mahawil)³ known as eulogists or reciters who were praising female candidates or celebrating them during their electoral campaign tours visiting the clans, as part of organized visits to the homes of clan elders or after accepting clan elders' invitation to endorse their candidacy during the campaign. All the above were considered against clan traditions that allow praising men but frown on praising women. As of such, the commentators took offense of these practices, and used indecent terms to attack the female candidates as well as those attending these gatherings.
- The idea of female candidates sitting in a clan's Diwan (where guests are welcomed) was met with the same rejection, considering that it goes

¹ Article (3) of the Convention on the Elimination of All Forms of Discrimination Against Women

² Inter-Agency Standing Committee (IASC), Guidelines for integrated Gender-Based Violence Interventions in Humanitarian Action <https://interagencystandingcommittee.org/>

³ Al-Mihwal, is someone who praises dignitaries in clan gatherings and during the reception of high-profile clan guests, weddings, or funerals. The Mihwal usually recites popular poetry verses to praise the celebrated personality in an all-men gathering. The verses, known in local dialect by "Hosa" are verses to praise a person or to mobilize the public and arouse a sense of power and excitement. The verses usually end with the expression "Hosa" with which men interact by stamping their feet on the ground and moving their hands over their heads in a collective move.



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against clan traditions. Women in the majlis, sitting next to the clan's elder, or their mere presence in an all-male majlis, was considered reprehensible by some, as that goes against the deep-rooted notion that women should not take part in men's Majlis; and that such actions overstep the social role of these gatherings. Tradition forbids women from being present or sitting in the Majlis, which might impede their efforts to contact the electoral district's dignitaries, or to directly communicate with the public, even though some clan elders accept to support the idea of a woman's candidacy, as a representative of the clan. This is based on their awareness that their numbers are limited in some districts and that their winning chances are low in the event they endorse a male candidate. Therefore, they rather endorse a female candidate because the competition to win a quota seat is much lower in comparison with other seats.

That does not reflect the supporters' firm belief in the ability of a female candidate but their desire to have someone representing them in the Council of Representatives. Thus, this support is motivated by self-interest more than a belief in women's ability to ensure political representation. In other terms, were there any chance for one of the clan's dignitaries to win without supporting the female candidate, that support would not have been given. The support is born out need, not out of conviction and persuasion, which necessitates the exploitation of these current motives as much as possible to present a dynamic parliamentary performance, defending supporters' interests, preserving social contact with them, to gain their trust on the long run, which would promote the idea of women's ability to ensure political representation, on an equal footing with men.

5. Hate speech based on national or religious discrimination

Some of the comments addressed to female candidate in ethnically or religiously diverse regions stressed that the candidate's ethnical background or clan affiliation should constitute grounds for preventing her from running in the electoral district, under the pretexts that she doesn't belong to the district, and that there are other candidates who represent the ethnical community or the clan who are deemed more eligible for representation. Thus, the gender-based discrimination stemmed from various causes linked to the candidate's racial origin or beliefs. This was a clear social discourse in the mixed areas that witnessed armed conflicts (Kirkuk and Mosul), strengthening racial, religious, or national



discrimination against female candidates¹, encouraging the idea that electing them will benefit the rival community. These practices reflect and enshrine the societal schism, which necessitates the implementation of measures to combat this exclusionary discourse.

This behavior violates the provisions of Article (20/2) of the International Covenant on Civil and Political Rights “Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.”

When the idea of hatred takes a behavioral dimension, it can morph into public incitement, either by the rejection of the idea of female candidates representing the electoral district, or by the contemptuous behavior of some individuals, repeating certain comments or expressions that target female candidate’s affiliation, which widens the scope of hate speech and leads to an escalation of violence, threatening societal peace and endangering political stability.

6. Spreading false information about female candidates

- Claim that unfounded statements were issued.
- Announce the withdrawal from the elections, to influence voters’ will, as was the case in Baghdad of 2 candidates on election silence day, and in Wasit where a candidate was the victim of false information disseminated about her political affiliation, even though she was running as an independent candidate.
- The dissemination of fake decisions (made-up) to distort voters’ will by claiming that decisions were issued by the Electoral Commission excluding certain female candidates to distort her supporters, especially since one photo was shared on election silence day on social media pages on Facebook and shared on Al-Sharqiya news website².
- Defamatory allegations were made against female candidates who occupied legislative or executive positions accusing them of exploiting or seizing public funds or exploiting their official influence, without evidence.

The last days prior to the election silence day were chosen to promote and broadcast similar news to attract voters.

¹ Comments posted on the ads and posts of candidates from the governorates of Mosul and Kirkuk, monitored during the campaign.

² Link of the post published on the website of Al-Sharqiya Tv Channel <https://www.alsharqiya.com/ar/news/the-commission-excludes-the-names-of-hamid-kambash-from-the-elections> and the spread of the news led the Commission to issue a statement denying the exclusions on the website <https://www.nrttv.com/AR/detail3/4018>



7. Violence targeting campaigns materials

Various forms of behavior and acts targeting campaigns materials were observed by partner organizations:

- Preventing female candidates from hanging campaign posters or conducting campaign related activities in some regions which are believed to be backing a rival candidate. That usually occurs in popular areas or in regions ideologically affiliated with a political party or a certain clan¹.
- Threatening owners of private properties who agree to display a poster of a female candidate on their buildings.
- Posters of female candidates were vandalized or damaged with offensive sketches or expressions. These were individual and not orchestrated organized acts.
- Crossing off female candidates' numbers and that of the electoral district, by erasing, eliminating or crossing it off. These are usually orchestrated acts in certain regions of the electoral district.

Attacks on female candidate's campaign posters and advertisements took various forms:

- Organized acts perpetrated by supporters or followers of rival candidates as a form of illegal rivalry practices (tearing posters apart, taking them down, thwarting campaign events).
- Isolated incidents, usually committed by individuals who do not believe in the electoral process as an instrument of peaceful transition of power, or who do not think that women are suitable for politics (adding indecent expressions or drawings).

Third: Causes of violence

1. Gender-based discrimination is considered a reason for men's unalterable constant social positions of power, where women are to be followers. The acceptance of this role strengthens the status of men, as they hold the authority to make decisions and control women. Two female candidates refrained from putting their photos on campaign materials and only used their serial number and the logo of the political party on whose list they are running. Perpetrators of acts of gender-based violence seek the preservation of their privileges, influence, and control over others, fighting

¹ Campaigns in Iraq confront several challenges and difficulties. The judiciary intervenes to protect electoral campaigns. Article published on the following website http://arabic.news.cn/2021-09/17/c_1310192243.htm



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against all forms of equality. This contributes to the persistence of gender-based violence that has a greater impact on female candidate than on their male counterparts.

2. The religious discourse is still founded on the idea of women's failure, reiterating that women are unfit for political leadership; the cultural heritage in regions where the ideas of women's lesser capacity and competence are prevalent, depends on gender to decide women's inability to assume responsibilities or make decisions, permitting them to play secondary roles in society, in line with the social upbringing dominated by role inequalities¹.

3. Indicators of female candidates' lack of legal knowledge. It has been noted that candidates in general, and female candidates in particular, share a lack of knowledge of legal information such as the legal assistance that could be solicited, especially in filing complaints and ensuring follow-up measures, the identity of authorities receiving complaints and their jurisdiction, since some of the complaints were filed without a supporting legal evidence², which resulted in their dismissal without looking into their issues, or for lack of evidence, which did not lead to issuing a ruling based on the complaint³.

Conclusion: Persisting violent behavior and gender-based discrimination

The dominant social culture in many regions impact women's political behavior and leanings, especially with the lack of acknowledgment of women's ability to play a politically active role, considering that their societal role is limited to routine house chores or the fields of education or health care, but not other areas of activity. The predominant notion is that men possess greater potential because of the social upbringing since childhood (of men and women) which is in turn echoed in their awareness of their societal roles. They believe that for a woman to be considered an activist advocating for women's rights or for political issues, is a reason to undermine her and permit all forms of attacks against her. This had an impact of women's

¹ Salima Masrati, Algerian women and the right to run for elected councils, between legal recognition and limited practice, *Al-Fikr Journal*, Mohamed Khider University of Biskra (UMKB), Issue 8, 2012, Page 200.

² Electoral Commission Council Decision No 24 and 25, Minutes Report No 38 of 7/10/2021, regarding the dismissal of two complaints of a candidate for lack of evidence, and the complaint filed by a female candidate against another candidate regarding the removal of her posters replacing them with his, since the commission monitoring committees were unable to prove the incident's occurrence. Decision regarding complaint No (85/campaigns/2021).

³ Electoral Commission Council Decision No (16) Minutes Report No 39 of 14/10/2021 regarding the dismissal of the complaint filed by a female candidate for lack of evidence, and Electoral Commission Council Decision No (36) Minutes Report No 38 of 7/10/2021 regarding the dismissal of the complaint filed by a female candidate for the same reason.



psychology and their reluctance to participate, or to extremely restrict their movement for fear of the recurrence of similar incidents during the campaign, which promotes the idea of their inability to communicate with voters.

Despite the significant efforts exerted, the numerous seminars and conferences organized prior to the elections to promote women's participation, the achievements on the ground do not justify the exerted effort. Nonetheless, that does not mean that these measures are useless or ineffective since they were the main engine behind the progress in female candidates' performance, which calls for further awareness raising and democratization campaigns within society, starting from children's early education and school curricula, to change the stereotypical roles and ensure acceptance of a bigger role for women in politics and decision-making, by endorsing the true concept of equality and citizenship.

CHAPTER 8

Recommendations

First: Recommendations for the legislative authority

A correlation exists between the legal and practical measures supporting women's political and public representation, and rates of women's representation in elected bodies and decision-making positions. A legal framework should be strengthened to increase the legal protection of female candidates and to limit the consequences of stereotyping. That should include measures that guarantee the implementation and monitoring of legal texts.

Recommendations specific to the Law for the Election of Iraq's Council of Representatives

1-1 Options for promoting quotas:

1. Amend the law to adopt an electoral gender quota regulation, ensuring women's equal participation in terms of candidature, forcing political parties to endorse electoral lists that include no less than 50% of female candidates, while preserving the constitutional quota of women's representation at no less than 25% of the number of seats in the Council of Representatives; the electoral gender quota will accelerate participation in elected bodies, in line with the provisions of Article 14 of the constitution that guarantees equality among citizens, regardless of their gender. The electoral gender quota would strengthen the representation of women in political life, encourage political



parties to develop, educate and mobilize their female cadres, which would enhance women's performance when they assume elected offices¹.

2. Increase the quota percentage by law to at least 30%, which does not contradict the constitutionally guaranteed share, and does not go against the constitutional text in Article (49/Fourth); Since the legislative quota has the greatest impact in guaranteeing female candidates' access to the Council of Representatives.

3. Encourage political parties that respect parity in their lists of candidates by offering them additional annual financial grants, i.e., adopting positive rather than negative reinforcement as is the case in the option (A).

1-2 Recommendations to strengthen campaigns' legal framework

Add provisions to the section on election campaigns to:

1. Prevent candidates from slandering, defaming, or inciting hatred against their rivals, or violating their private lives.
2. Guarantee non-discrimination in election campaigns and ban the use of any speech that includes hatred or incitement to violence based on gender, nationality, religion, sect, affiliation, and other grounds.
3. Set an upper limit for campaign spending to reduce the economic disparity between women and male candidates and to enhance women's chances in the race.
4. Include a text that penalizes candidates who deliberately broadcast news or commit acts that offend, lie about, or defame rival candidates, or claim their withdrawal, by depriving him of the electoral votes they obtained, imposing a stiffer penalty on those who commit or participate in these acts, and incrementally raising the financial fine if the acts were committed at a time when voters cannot ascertain the truth.

¹ France is considered a pioneering country in adopting an electoral gender quota regulation by virtue of Law No 493 of 2000, which calls for rotation on parties' electoral lists between men and women to guarantee that 50% of candidates are women. Adopting this measure, combined with the legal quota for representation that requires that the number of seats occupied in general by women should not fall under 25%, will prompt political parties to develop their female cadres to compete for electoral districts' seats and to prevent the dispersal of votes of party supporters. In addition, political parties who do not respect electoral gender quota regulation could be denied the government financial assistance provided to political parties, as a form of negative reinforcements in legislative elections. As for municipality elections, parties who do not implement the electoral gender quota are excluded from the race. The system of financial subsidies offered to political parties exists by virtue of Iraq's Law No 36 of 2015 Article 44, which is currently suspended following the Decision of the Federal Supreme Court on its constitutionality, since the phrasing of the provision led to the enrichment of some parties at the expense of others. The provision could be drafted to deny financial assistance to parties that do not respect parity in endorsing candidates. The minimum needed to accept an electoral list should be a women's representation of no less than 25% of candidates, otherwise the party is excluded from the race.



5. Punish candidates with the same penalty imposed on one of their campaign staff, if they had any knowledge of the acts committed (as a contributor) or if they approved them and preventing them by a court ruling from running in the elections for a period of no less than five years from the date of issuance of the ruling.

6. Consider that acts committed by a public official or a public servant to influence the will of voters are reasons for their removal from public position.

1-3 Recommendation to redraft organizational and procedural matters for crimes during the campaigns

1. Solve the issue of procedural overlap in complaints related to the campaigns by dissociating complaints of violations against a female candidate's personal right and complaints about attacks on the institutions of the State or the Commission. In cases of complaints about election crimes committed against the candidate, the ordinary courts should handle them while taking into consideration the need for urgent action in the investigation and trial, given the impact of these violations on the candidate's chance of winning the election, which necessitates urgent legal remedies, in addition to notifying the Commission of the complaints to be able to adjust its decisions considering the issued verdicts.

2. Adopt preventive criminalization in the section specific to campaigns, and consider that the mere endangerment of protected interest is sufficient ground to impose a penalty (impose a sanction based on the risks and not the damage), which would constitute a general deterrence for those covered by its provisions, and thus a sense of fear of committing these acts would deter perpetrators and limit their occurrence, facilitating the judge's task of attributing, proving and sentencing the committed act.

3. Add a legal text that includes imposing incarceration for no less than one month or a fine of no less than one million and not more than five million Dinars, or both sentences, for every violation of the provisions of the law with no penal provisions of their own.

4. Add a provision to the law stipulating that the criminalization of offences in the Election Law should not obstruct the implementation of any stricter sanction mentioned in another penal law.

5. If the current process of adjudicating complaints and crimes is preserved, efforts should be exerted, and the Elector Commission should investigate violations committed against candidates or their campaigns. The Electoral Commission should enjoy additional legal mandate, providing the Commission Council, Electoral District Director, and directors of electoral



offices in governorates and regions, and directors of polling centers (for the purpose of implementing the Electoral law) with the authority of an investigation officer, according to the provisions of the Code of Criminal Procedures No 23 of 1971 amended.

6. Law on political parties.
7. Amend the law on political parties to guarantee a quota for women's representation in the upper echelons of leadership and party cadres of no less than 25%.
8. Adopt positive or negative reinforcements to prompt political parties to abide by the parity system in their endorsements of candidates, by providing them with or denying them the financial subsidies provided to them by law.

Second: Recommendations to decision-makers

1. Prepare a strategy to be adopted by state ministries to challenge social traditions and customs and the negative perception of women and their societal role, through training, education, awareness raising campaigns and societal development.
2. Develop curricula to combat technology-facilitated sexual violence (TFSV). These approaches could focus on cooperation with the legislature to speed-up the adoption of the Law on Combating Cybercrimes provided that technology, IT, legal, social, and political experts are involved in the process to redraft the current bill of the Council of Representatives since it is inconsistent with the requirements specific to human rights, and the constant technological advances. The aim is for a draft that allows the effective and non-discriminatory implementation of the provisions in handling violations of the freedom of expression and women's dignity in the digital environment.
3. Improve female candidates' skills in running their campaigns, forming a good campaign team, and expand their knowledge of election laws, especially the parameters of the right to file complaints if they are victims of a legal violation.
4. Advance women's capabilities and knowledge of their rights, raise their awareness about their roles to ensure that they would not stand against any change of the stereotypes perpetrated by social traditions, and to have an effective role in reclaiming their rights.
5. Draft bills specific to family protection and ensure cooperation with the legislature to amend laws that hinder women from playing their roles within society.



6. The economic empowerment of women plays a fundamental role in enabling political empowerment, which necessitates the adoption of the strategy for women's economic empowerment and backing of their participation in their families' economic decision-making process.
7. The committees in charge of setting school curricula should eliminate any illustrative or textual example that undermines women's status and confine them to the societal roles they are supposed to play.
8. Set a policy for gender-sensitive rehabilitation and training of staff and review the criteria of hiring, promoting and appointing staff to high level positions, to ensure that these practices are not biased against women.

Third: Recommendations to the Independent High Electoral Commission (IHEC)

1. Determines the acts that require revoking the endorsement of the party or candidate, excluding them when the regulations on election complaints and crimes are adopted, by identifying the specific penalties for the violations, since the awareness of the penalty would constitute a general legal deterrence to those concerned.
2. Identify the cases that require the imposition of a financial fine, its maximum and minimum amounts; determine the instances that require denying the perpetrators the votes they received in the polling center or post, in cases of use of force, carrying arms, tampering with ballot boxes, destroying, or trying to destroy ballots, to ensure that the discretionary authority does not exceed the limits of linking the act to its consequence.
3. Set up an administrative unit within the administrative hierarchy of the Independent Higher Electoral Commission to support women. The unit shall be part of the Commission's communication and information section, and should assume the following tasks:
 - Open official communication channels with Civil Society Organizations working on women empowerment, by creating a continuous communication channel to exchange information and data, to raise and promote women's participation, qualitatively and quantitatively, in the elections.
 - Present proposals and solutions for the dilemmas that impede the dynamic participation of women by relying on studies and research conducted by specialists within the commission, considering the electoral data.
8. At the leadership level, increase women's participation at the upper echelons of administrative decision-making within the Independent Higher Electoral Commission, and ensure women's representation within it.



Fourth: Recommendations for the Communications and Media Commission (CMC)

1. There is a need to raise awareness of victims about the mechanisms of dealing with violations of media institutions, which would equip regular individuals with the knowledge about the steps to be taken to ensure justice.
2. Periodic publication of the monitoring report prepared by the Communications and Media Commission on the committed violations and the measures taken to remedy them, which would increase transparency in administrative work and familiarize the public with the measures taken.
3. Preparation of a glossary of terms that fall under the concept of hate speech, requiring all media institutions to develop the capacities of their human cadres to avoid the use of these terms and run the dialogue to prevent those taking part in the interview from using them.
4. Increase the knowledge of stakeholders and media institutions of the rules of special coverage of elections, and ways to avoid hate speech or incitement to violence in statements.
5. Draft a media strategy to influence and change the prevalent (improper) media discourse, which contributes to a gender-based behavioral change, using social media platforms to present real examples focusing on the experiences of successful women in the political arena, and the extent of the impact that these experiences had on changing the position of individuals.
6. Orientate the media towards adopting a qualitative discourse designed for children and tribal and rural regions, which would in the medium term, influence the change of gender related norms and traditions, and contribute to the advancement of women's social status.

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