

**Statement by
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of the House Committee on Government Reform**

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The National Democratic Institute (NDI) appreciates this opportunity to present its views on fostering democracy in Iraq and in particular to offer observations about the constitutional referendum held on Saturday, October 15, 2005.

Background on NDI's Programs in Iraq and the Middle East

NDI's work in Iraq and in the Middle East has been the natural outgrowth of 21 years of experience of working around the world with the National Endowment for Democracy (NED) and its other core institutes --the International Republican Institute (IRI), the Center for International Private Enterprise (CIPE) and the Solidarity Center.

The appropriate role of these organizations is to provide support for those forces in non-democratic societies that are seeking to promote peaceful political change, often against seemingly insurmountable odds, or at great personal risk to themselves. In new democracies, we offer assistance to governments, political parties and civil society who are finding ways to work cooperatively to construct and consolidate their nascent democratic institutions.


NDI now has 10 offices in the Middle East that are working with a large network of committed Arab democrats and reformers to promote political party development, parliamentary strengthening, and open and fair election processes.

In addition to its main office in Baghdad, Iraq, NDI also operates four sub-offices, several of which house "democracy resource centers" for use by Iraqi political activists, in Basra, Hillah, Kirkuk and Erbil.


NDI's programs in Iraq focus on civil society development, political party strengthening, assistance with the formation of a democratic legislature and executive branch of government, including assistance in drafting the constitution, supporting women's political participation and helping ensure an open and fair electoral process. To implement these programs, NDI draws on a number of Iraqi and international experts and has produced numerous publications in Arabic and Kurdish.

Constitutional Dialogue & Education Program: NDI's Constitutional Dialogue & Education Program, in coordination with five regional Iraqi NGOs, was designed to facilitate constituent involvement in the constitutional process through civic education and public input. More than 3,000 dialogue sessions were held, reaching close to 250,000 Iraqis. The participants in the dialogues shared their opinions on the constitution with members of the National Assembly's Constitutional Committee. Upon completion of the draft, NDI launched a public education program that included information sessions to introduce and broadly explain the content of the constitution to approximately 100,000 Iraqis and small town hall meetings with public officials who will be expected to apply the provisions of the constitution in the course of their work.


Governance Assistance: NDI's governance program has three primary objectives: to provide assistance and technical support to the National Assembly and to the executive branch as well as support the constitutional drafting process. The Institute held orientation sessions and provided materials for members and staff when first elected into office. Additional training sessions are designed from members and staff requests on parliamentary procedures and legislative drafting. During negotiations on the draft constitution, NDI assembled a team of international experts to offer technical and advisory assistance by discussing issues, answering questions, and drafting short advisory papers and memos addressing matters of particular interest to the members of the Constitutional Drafting Committee. NDI is also assisting the Assembly with developing information technology capacity and an enhanced communications infrastructure. The Institute will continue to provide international comparative resources to all Iraqis in support of this program.



Domestic Election Monitoring: NDI's election program focuses on promoting legitimacy and transparency in the electoral process. Specifically, the program concentrates on working directly with civil society groups in the creation of a broad-based civic coalition responsible for monitoring Iraqi elections. Training for the civic coalition focuses on non-partisan domestic election monitoring. For the January 30, 2005 election, an umbrella election monitoring organization, the Iraqi Election Information Network (EIN), assisted by NDI, trained almost 10,000 non-partisan domestic election monitors of which more than 8,000 were present in 80 percent of polling locations in Iraq. EIN built on this success by monitoring the voter registration process in August and presenting its findings to Iraq's electoral commission. NDI continues to provide technical assistance, training, materials and consultative support to changing conditions leading up to the constitutional referendum in October and the December elections.



Supporting Women's Political Participation: NDI's program to strengthen women's political participation in Iraq is designed to foster an environment in which women are viewed as credible and effective leaders. The Institute works with political parties and civil society organizations in developing concrete, organic strategies for including women in political structures. For example, the Institute established an engendering of the constitution project to assist Iraqi women leaders and activists in their efforts to guarantee the inclusion of women's rights in the Iraqi constitution, through a variety of outreach activities, including meetings with members of the National Assembly's Constitutional Committee. NDI also continues to build a network for women political activists, which provides a forum for assistance, along with an electronic newsletter that reaches across party lines and provides women with the skills to present themselves as professional and competitive candidates. More than 200 women political party members have been trained in voter mobilization for the October 15 referendum, and the Institute is currently identifying women party members who are interested in training other party members on the basics of voter mobilization.



Political Party Strengthening: The Institute's political party program has a long-term goal of building coalitions and strengthening political parties that represent a democratic middle. Since January 2004, NDI has trained more than 2,000 political activists from at least 250 parties around the country on issues such as party organization, leadership, voter outreach, communication, fundraising and budgeting. Other political party training includes campaign academies and workshops that provide hands-on activities on message development and dissemination. Prior to the January 30

elections, NDI provided assistance to 40 out of the 111 entities that participated in the parliamentary elections, and 11 out of the 12 political entities that won seats in the National Assembly.

Civil Society Development: NDI's work with Iraqi civil society groups focuses on democratic political awareness and citizen participation in Iraq's political life. Specifically, the Institute assists civil society groups in developing basic organizational structures and strategic plans for becoming actively involved in the political process including monitoring elections and providing citizen input on the constitution. NDI also assists partner organizations develop a collective voice so that they can play an intermediary role between citizens and public officials. The Institute implements these programs by facilitating regular meetings between leaders of civil society groups, organizing seminars to discuss the role of civil society in a democracy and arranging workshops and consultations for groups to build their internal capacity. NDI has awarded more than 100 small grants to organizations around Iraq to implement targeted programs to increase citizen participation in the political process.

Excerpts from a Political Assessment in Iraq, March 2004

I want to start my testimony today by quoting from an assessment of political development in Iraq that I wrote in March 2004. While still retaining the optimism about the future of Iraqi political and democratic development that I had put forward in a first report in July of 2003, I offered a warning:

In July (2003), while reporting growing Iraqi disillusion with a perceived lack of progress since the end of major combat operations, NDI observers also described an "explosion of politics" with optimistic Iraqis forming political and civic organizations at a rapid pace in order to enter into an expected debate about the future of their country. July focus groups found that a strong majority of Iraqis rejected the idea of clerical rule and that most Iraqis, even Kurds in cities like Kirkuk, retained a feeling of Iraqi identity that trumped most sectarian and ethnic differences. The NDI assessment in June/July was conducted under relatively favorable security conditions, with NDI delegates traveling freely to all areas of the country and interacting easily with Iraqi party and civic activists.

As of this writing in March 2004, some of the political optimism reported in June has faded. While political parties continue to be formed (more than 300 parties now exist by some estimates), the growth of new parties and political entities seems to be more a process of political fragmentation than a sign of democratic exuberance. The fragmentation process has been given institutional encouragement through lack of progress on a political and electoral framework. Not knowing what type of election they might be facing (proportional, constituency-based), unsure about electoral boundaries, lacking laws to regulate political behavior and not perceiving an opportunity to be a part of a public policy debate, parties have little motivation to coalesce around common goals. In this political vacuum many Iraqi parties have become complaining forums for railing against the

“occupation” and criticizing the actions of the unelected Interim Governing Council (IGC). Strong figures on the IGC, many of whom are associated with political parties, have been using their privileged positions and proximity to the Coalition Provisional Authority (CPA) to extend their political power, becoming, in the process, fair political game for the majority of Iraqi parties which have few, if any, ties to the CPA decision-making process.

Party assistance programs and assessments have become more difficult with security conditions worsening, the intentions of foreign organizations being challenged and civilian development workers being attacked. Bombings at Kurdish and Communist party offices and the assassination of several political party figures have sent some aspiring political leaders underground. The importance given to the pronouncements of Shia religious and party leaders (particularly Ayatollah Ali Al-Sistani) has caused a backlash in Sunni dominated regions with the Sunni population looking for a Sunni oriented political force to counter growing Shia activism and influence. Tribal oriented groups and parties are flourishing as insecurity and uncertainty push Iraqis toward political groupings likely to protect narrow, parochial interests at the expense of a larger, democratic project.

While parties representing a broader, more tolerant stream of Iraqi political society - the urban educated and the politically moderate segments of the Sunni and Shia population - continue to form, the political space they need to flourish seems to be shrinking. Friday sermons at Mosques throughout the country are growing more virulent, with preachers exhorting followers to reject “western” political influences, which includes the promotion of women’s rights and political participation. Baghdad, while still a relative haven of tolerance, with the mixing of men and women allowed in public places and alcohol openly served and sold at many locations, is becoming more closed, with many restaurants enforcing “family sections” for women and banning the consumption of alcohol.

The October 15, 2005 Referendum

The trends that NDI observed in mid-2004 – the fragmentation of political space, the growth of sectarianism and tribalism, the search for safety and security within one’s own ethnic group, the increasing pull of religious extremists – continued apace through 2004 and much of 2005. The October 15th referendum took place in this fragmented atmosphere and the question around the referendum quickly became whether or not the draft constitution would help heal ethnic and sectarian divisions and not whether the constitution would lead to the establishment of important institutions of democracy that would eventually lead to good governance. Some outside commentators took to describing the draft constitution as a “compact” among competing ethnic and sectarian groups, rather than a blueprint for a new political system. Indeed, at least 50 laws will have to be passed to define major sections of the constitution, including major questions of revenue sharing, the functioning of the Supreme Court and the jurisdiction of regions.

In focus groups conducted recently by NDI, the majority of participants cared less about what was in the constitutional document than they cared about getting this milestone behind them to give a

chance to “move on”. In the words of one Sunni focus group participant from Ramadi, “The constitution is the most important thing because it can pave the way for the achievement of other things”. I would argue that the draft constitution and the referendum should be viewed as neither a detailed roadmap for governance nor a compact between warring parties, but simply as a benchmark or milestone on the long road to democracy.

In that context, the referendum, and the process leading to the referendum, was a success. Voter turnout, estimated at about 60%, was a little higher than the January 2005 election, but voter turnout in majority Sunni areas was dramatically higher. Some early estimates have Sunni participation in Al Anbar and Saluhddin as high as 80%. While one could take the cynical view that the Sunni population mobilized only to defeat the draft constitution, NDI staff in Baghdad have heard from a number of Sunni political leaders that a fundamental decision has been made to use the political system to pursue policy goals. While the decision to participate in electoral events may have little immediate impact on the insurgency, Sunni participation in future elections and future governments could have an enormous influence on the development of a truly representative political system.

Tens of thousands of Iraqis from all walks of life made their views known to the constitutional drafting committee through as many as 185,000 submissions that were received by that committee. More than 100,000 people attended town hall discussions on the constitution and dozens of rallies and meetings were held by Iraqi non-governmental organizations representing a variety of interests. Women’s organizations played a particularly large role, organizing petitions and rallies and lobbying members of the Interim National Assembly. Dozens of radio and television spots explained the content of the draft constitution and millions of copies of the document were distributed to eager citizens.

While the argument can be made that the negotiation process was hurried and flawed and that the contents of the document were unclear, the fact is that the majority of Iraqi citizens are happy with what is contained in the document and its adoption by the majority of the population has never been in doubt. What was, and still is in doubt, is whether or not the population opposed to the draft, mostly residing in majority Sunni areas of Iraq, could muster the 2/3 majority required in three provinces to veto passage of the document. As of this writing, the 2/3 threshold had been reached in Al Anbar and Salah Eddin provinces with a simple majority against the draft in a third province,

Ninevah. The last minute compromise to allow changes to the draft to be made for several months after the referendum may help to reduce the impact of the constitution passing over the objections of much of the Sunni population.

Like the January 2005 election, the October referendum in Iraq was characterized by the courage shown by the average Iraqi in defying violence to vote. Again, Iraqis have proven that democracy is central to their view of the future. The referendum was remarkably well run, under the circumstances and organized primarily by Iraqis with relatively modest foreign assistance. Unlike the January election, the referendum saw widespread participation. Some of the lessons learned for the U.S. are clear:

- Democracy is a goal shared and embraced by Iraqis.
- Political processes work best in Iraq when the citizens feel ownership of those processes and when Iraqis are empowered to organize and implement.
- U.S. assistance is best when it is delivered discreetly and in a manner designed to bolster and support Iraqi processes and actors.
- The political and democratic process in Iraq is not a panacea or a silver bullet – but is a necessary step on the road to security, economic prosperity and stability. As such, U.S. support for a democratic Iraq must be clear, steady and backed by sufficient funding and diplomatic support.

Much will continue to be written and said about the referendum and particularly about the problem of Sunni inclusion in the political process, but October 15th was another milestone that will lead to the goal shared by most Americans and most Iraqis – a peaceful a democratic nation that takes its place in the modern world. Next broad steps for democracy include the development of national and local governing institutions, national/local government coordination and communication, the better engagement of youth and women in political processes, and of course the operationalizing of the constitution through implementing legislation and sufficient attention to revenue and power sharing..

I thank you for the opportunity to testify in front of the committee.