

How to Cite:

AL-Behadily , Q. H. J., & Tuwaya, Y. A. (2022). Local Indicators to Measure Corruption in Iraq. *International Journal of Health Sciences*, 6(S7), 3981–3989.

<https://doi.org/10.53730/ijhs.v6nS7.12699>

Local indicators to measure corruption in Iraq

Qasim Hanoon Jweree AL-Behadily

College of Law, University of Misan - Ministry of Higher Education and Scientific Research, Iraq.

Email: albhadyqasm87@gmail.com

Dr. Yasar Atiyah Tuwaya

College of Law, University of Misan - Ministry of Higher Education and Scientific Research, Iraq.

Email: attia_left_towaih@uomisan.edu.iq

Abstract---The Integrity Commission in Iraq has worked on issuing local indicators that contributed significantly to changing Iraq's position in Transparency International's reports and indicators, and its methods for this included the questionnaire and deterrent investigative indicators against the perpetrators of corruption crimes, which differ from the international indicators announced by Transparency International through the Corruption Perceptions Index and its reports. The annual report, which contributed to the improvement of Iraq's image in its position on corruption among the countries of the world, was thanks to the measures it took at the internal level, represented by the formation of specialized anti-corruption bodies such as the Iraqi Integrity Commission and the legislation of national laws and at the international level represented by Iraq's accession to international anti-corruption conventions, including the United Nations Convention Anti-Corruption 2003.

Keywords---Corruption, Iraqi legislations, Conventions, International Law.

Introduction

There is a preliminary international agreement that no country is free of the manifestations of corruption and its practices is attributed differently and according to the degree of development of society and its specificities and the difference of measures to the degree of its spread and the extent of its subjects and the recognition that the regions witnessing a situation of conflict and violence are characterized by the emergence of manifestations of corruption and that Iraq is one of the countries that suffered from all the aforementioned variables that

posed challenges to national decision-makers to the extent that they are unique among the countries of the world (Mahdi, 2014 ,3).

The indicators for measuring corruption, i.e. the degree of awareness of the level of corruption, except for a small or many, and these indicators vary from one country to another, some of which measure the degree of corruption based on reports issued by specialized bodies, and some of them measure corruption based on legal procedures in terms of the number of cases and the large number of defendants. The indicators for measuring corruption in Iraq are a local indicator based on surveys and questionnaires carried out by the competent authorities and those dealing with corruption crimes, including the Integrity Commission which took upon itself a preventive aspect based on the preparation of questionnaires, statistics, surveys, figures, annual reports, visits or a deterrent aspect based on taking legal action against the perpetrators of corruption crimes and referring them to the judiciary to receive the penalty for what they committed by the right to infringe on money, except for the crimes of bribery, embezzlement or exceeding the powers entrusted to them to issue legal judgments against them and that the totality of these procedures are local indicators to measure corruption (Karam, 2015, 81).

2. Local indicators to measure corruption in Iraq

The local indicators for measuring corruption in the country have a specificity because they give numbers and indicators that differ from the international indicators and figures and are more specific and important due to their proximity to the masses and circles, one country to another, and talking about Iraq's role in carrying out this role is entrusted to the Integrity Commission, which is the competent authority to issue every year an annual report showing a set of reliable indicators as a local indicator for measuring corruption on the most important reasons (Integrity Commission, why polls).

No official or unofficial Iraqi authority has ever measured any aspect of corruption, such as bribery or others, and this mechanism was established for the first time on approved scientific bases, as the Integrity Commission relied on measuring the extent of bribery on the basis of using the personal experience of citizens in the practice of the required action Measuring its size and also that this role helps in exposing the manifestations of corruption by practical means whose results cannot be denied, cut the way for those who deny the spread of bribery in some departments and put them in front of the fait accompli and provide solid scientific information to decision-makers in the concerned official authorities. Their responsibilities and these questionnaires submitted by the Integrity Commission make the citizen the judge and the arbiter in assessing the official departments and institutions of the state and make his word the supreme body in determining the extent of bribery and delivering his voice in a scientific manner that cannot be objected to by the leaders responsible for reform and change. These questionnaires contribute to achieving deterrence. The mere presence of employees the Integrity Commission in the department's door asks the auditors about their payment of the bribe and to those who paid. This measure is sufficient to deter those involved from continuing In taking bribes, especially after the departments were obligated to put the employee's name by carrying a badge on his chest or an identification piece on his table (Al-Jashami, 81, 2014).

We believe that these surveys, and the way they are conducted, are a successful, unconventional, anti-corruption method that has a greater impact in combating bribery than any other method. We see that this mechanism has achieved very clear results in the state departments in which the questionnaire was conducted. An unprecedented effort in dealing with the issue by the highest heads of the career hierarchy, such as ministers and direct heads of those departments and institutions.

As part of the activities of the Local Integrity Commission in Iraq, it has issued several annual reports in the field of questionnaires (Integrity Commission report, 2009, 9) where the percentage for 2009 in terms of the number of surveyed departments amounted to (1019) departments and the number of forms amounted to 82,939 and the number of bribery users reached (12129) and the final percentage is (14.62%) (Report of the Integrity Commission, 2010, 71)

As for the percentage for 2010 in terms of the number of surveyed departments, it amounted to (3570), the number of investments (286558), the number of bribery users (17599), and the final percentage (6,14%) (Integrity Commission report, 2011, 43).

In 2011, the number of surveyed departments was (4098), the number of forms (352953), the number of bribery users (11121), and the final percentage (3,15%) (Integrity Commission report, 2011, 43, 2012, 76), and Basra governorate recorded the highest percentage Corruption took place in 2009 with a percentage of (42,17), while Najaf governorate was the most honorable for taking bribery in 2010, while 2011 witnessed a significant decrease in the rate of bribery, and this indicates the efforts in the field of combating bribery undertaken by the Integrity Commission.

In a summary of the most prominent local indicators of corruption recorded by the Integrity Commission in the years 2004, 2005 and 2006, the number of reports was (2780), the number of criminal cases (the report of the Integrity Commission, 2006, 6) was 2124, the number of cases referred to the trial court (296) and the number of detainees (94) The number of arrest warrants issued against a Director General and above is 173, and the number of convicts (103) (Integrity Commission report, 2007, 7).

In 2007, the number of reports was (4993), the number of criminal cases (3151), the number of cases referred to the trial court (150), the number of detainees (148), and the number of those convicted reached (196), and the number of arrest and recruitment orders against a general manager and above was (14) (Report of the Integrity Commission, 2007, 11).

In 2008, the commission received (5,031) news, recorded (3,027) corruption cases, and sentenced (97) defendants in corruption cases, including (79) convictions, and the number of arrest warrants issued was (630). The number of detainees at the custody of the commission is (417) and the number of cases referred to the trial court is (420) cases (the report of the Integrity Commission, 2008, 5).

In 2009, the commission recorded (7013) news and registered (6779) criminal cases, and it was referred to the trial courts (1084) to conduct trials in corruption cases, and 296 accused were sentenced. It issued (3710) arrest warrants, including (152) arrest warrants against the Director General and above and (1719) defendants were arrested, and the commission was able to track down and freeze the amount of (5) million dollars that had been smuggled and embezzled to banks in Jordan and Lebanon. The amount of one hundred thousand US dollars (Report of the Integrity Commission, 2009, 13).

In 2010, the commission recorded (8617) news and (8450) corruption cases, and the number of those wanted for the commission reached (8307) accused, including 247 employees with the rank of director general and above, and 8 of them with the rank of minister. 118 of the election candidates, and the number of sentences was (1,368) accused. (352) accused were released, while (1016) accused were convicted (Report of the Integrity Commission, 2010, 11).

In 2011, the commission recorded (9499) news and (11,671) criminal cases, and the number of those wanted by the commission was (11381) accused, including (18) ministers and (154) with the rank of director general, and the number of arrest warrants amounted to (3517) and recruitment orders amounted to (7864), and the arrests were made. (1393) accused in corruption cases, and the cases referred to the trial court reached (5682), and the number of convicted persons reached (2363) accused. (702) accused were released, while (1071) were convicted, including (8) ministers and (20) director general (8) of the House of Representatives election candidates (Report of the Integrity Commission, 2011, 11).

In 2012, the commission recorded (6741) news and (10405) criminal cases, and the number of arrest warrants reached (2667), including (9) orders against ministers, and (99) orders were issued against a general manager and above, and the number of recruitment orders reached (6029), of which (27) . An order was issued against (15) ministers and (205) against a director general and above. The number of arrest warrants reached (1226) arrest warrants for corruption cases, including one arrest warrant issued against a minister and (17) arrest warrants against (16) general directors and above. The commission was referred (5980) defendants before the trial courts, including (12) ministers, or (97) referrals against a general manager above The number of convicted (2854) defendants departed from (1145) while (1709) was sentenced to conviction and the number of convicted ministers (6 and 26) directors general and above and the Commission carried out (68) seizures for the crime of witness, including (41) operations for bribery crimes and was the highest of the ministries against which seizures were carried out for the crime witnessed by the Ministry of Interior (11) accused of the Ministry of Finance (6) accused of the Ministry of Municipalities (4) defendants (report of the Integrity Commission, 2012 , 19).

In 2013, the Authority registered (2966) news and (11104) criminal cases and the number of arrest warrants reached (2049) orders, of which (19) orders were issued against (13) ministers and (91) orders issued against (73) directors general and above, and the number of recruitment orders (6603) orders against (31) ministers and (402) orders against the director general and above and the arrest

warrants amounted to (1159) arrest warrants, of which (15) orders against the director general and above and one order against a minister and referred the commission (4625) defendants to the courts. The issue of which (13) ministers (137) directors general (3030) defendants (3030) defendants departed from (1566) while (144) defendants were sentenced to conviction, including a conviction on (3) ministers and (40) directors general and the commission applied 49 defendants in flagrante delicto (report of the Integrity Commission, 2013, 21).

In 2014, the Commission registered (1745) news and (7402) criminal cases and the number of arrest warrants reached (1459) orders, including (24) orders against ministers or those of their rank and (94) orders against the Director General and the number of recruitment orders (4523) orders of which (36) orders against (22) ministers (335) against (142) Director General and the arrest warrants amounted to (549) arrest warrants, including one against a minister and (10) orders against general managers and the Commission referred (4129) defendants to the trial courts, including cases related to (20) A minister and (146) cases involving a director-general and the Commission applied (48) defendants in flagrante delicto of corruption crimes and the number of convicted (1736), (6) ministers and (53) general managers (report of the Integrity Commission, 2015, 2) (Report of the Integrity Commission, 2014, 2).

In 2015, the Commission recorded (3262) news and (8387) criminal cases excluding the governorates of (Nineveh, Anbar, Saleh Al-Din) because they witnessed wars and destruction by (ISIS) and the number of defendants referred to the trial courts (3955) of them (18) ministers and (185) holders of special degrees and general managers and the number of arrest warrants (2719) and the number of recruitment orders (5627) and (808) arrest warrants were issued for corruption cases, including (16) orders against special degrees and general managers and the number of convicts (1961) sentences of which (1081) were sentenced. Conviction of (9) ministers and (54) directors general and the commission carried out (68) seizures (report of the Integrity Commission, 2015, 4).

In 2016, the Commission recorded (2848) news and (7294) criminal cases, and the number of recruitment orders issued (4533) and the number of arrest warrants issued (1507), including (31) orders issued against ministers and (184) orders issued against general managers and above, and 2016 witnessed the issuance of (714) arrest warrants, of which (14) were against general managers and the Authority carried out (71) seizures, including (69) defendants in flagrante delicto and the number of cases referred to the trial court (30150), including (16) ministers and 127 general managers. At the top, (771) defendants were convicted, including (5) ministers and (39) general directors and above (Report of the Integrity Commission, 2016, 4).

In 2017, the Authority recorded (3723) news and (8537) criminal cases, and the registered recruitment orders amounted to (6261) of which (35) were orders against a minister and (306) against the directors general and above, while the arrest warrants issued amounted to (2133) orders, of which (17) orders against ministers and (128) orders against general managers and above, and the number of arrest warrants issued (1424) arrest warrants was one against a minister and

(27) orders against general managers and above, and the Authority carried out during 2017 (293) seizures and reached The number of cases referred to the trial court (2412) and the total convictions (752) were including (7) ministers and (38) general managers and above (Report of the Integrity Commission, 2017, 30).

In (2018), the Authority recorded (3650) news and (8369) criminal cases and the number of recruitment orders issued (5811) including (23) orders against a minister or whoever is of his rank and (279) orders against general managers and above, while the arrest warrants issued amounted to (2020) including (10) orders against a minister and those of his rank and (87) orders against directors of secretary and above and the arrest warrants reached (1417) including (12) orders against the general managers and above and the seizures witnessed the registration of (441) operations the number of cases referred to the trial court (2103) cases was seized and (926) convictions were issued, including (4) ministers, (41) general managers and those of their rank (Report of the Integrity Commission, 2018, 23).

The number of recorded news for the year 2019 recorded (5687) news and reached criminal cases (9497), reached the number of recruitment orders issued (7173), the number of arrest warrants issued (1616), the number of stop orders (1923), and the Integrity Commission in 2019 (583) carried out a seizure of the crime acclaimed and the number of cases referred to the trial courts (3052) cases and the number of convictions (931) convictions for corruption cases (Report of the Integrity Commission, 2019 , 26).

The number of recorded news for the year 2020 (6848) news and the number of criminal cases (8695) cases and the number of recruitment orders (5631) orders and the number of arrest warrants (2402) arrest warrants and the number of arrest warrants (1150) arrest warrants and the Commission carried out during 2020 (528) seizures for the crime witnessed and the number of cases referred to the trial court (1976) criminal case and the number of convictions (639) convictions in corruption cases (Report of the Integrity Commission, 2020 , 23) . The number of recorded news for the year 2021 reached (9183) news and the number of criminal cases (11605) cases and the number of recruitment orders and (7736) recruitment orders and the number of arrest warrants (1568) orders and the number of arrest warrants (1405) orders and the Commission carried out during 2021 (815) seizures for the crime witnessed and the number of cases referred to the trial court (2912) criminal cases and the number of convictions (632) convictions in corruption cases (report of the Integrity Commission, 2025 , 25).

The researchers believe that the increase in the number of referrals to the courts, the increase in the number of convicted persons and the increase in the number of persons wanted for corruption charges is an indicator of the rise in corruption. This is a major scientific error because the numbers of corruption prosecutions are not suitable as a way to measure corruption, nor is there an indicator or evidence of the high level of corruption, but it is anti-corruption efforts and there is a big difference. Between measuring corruption and measuring anti-corruption efforts. Corruption is measured in different ways, the most important of which is the first measuring corruption by people's perception of it. This is the

international indicator adopted by Transparency International, which is represented by the Corruption Perceptions Index and its annual estimate. The second is the most reliable, as it measures corruption by people's experience in dealing with the phenomenon Corruption is required to be measured, and this is what the Integrity Commission notes, its adoption in the local indicators issued annually, based on the questionnaire issued by it, which is the question of the dealer with the concerned department whether he had paid a bribe on the occasion of the transaction he completed.

Conclusion

The local indicators recorded by the Integrity Commission in Iraq have greatly contributed to the improvement of Iraq's image in the fight against corruption and in the reports of the indicators of Transparency International, because it has worked on several methods, including the questionnaire and the deterrent investigative indicators against the perpetrators of corruption crimes, which differ from the international indicators announced by Transparency International Through the Corruption Perceptions Index and its annual reports, it also contributed to urging Iraq to take many measures at the internal level represented by the formation of specialized anti-corruption bodies such as the Iraqi Integrity Commission and the legislation of national laws and at the international level represented by Iraq's accession to international agreements against corruption, including the United Nations Convention against Corruption of 2003 and cooperation with international organizations and the United Nations Development Program, which contributed to achieving high rates in reducing corruption.

Results

1. The phenomenon of corruption in Iraq has historical roots, but due to the developments that took place after 2003 and the change in the shape of the political system following the entry of the occupation forces and the formation of the Coalition Provisional Authority, With these circumstances, the levels of corruption increased to reach their highest levels in the world, and Iraq was classified as the most corrupt country according to the organization's statistics
2. The standards differ regarding determining the extent of corruption in Iraq after 2003 at the local and international levels, as the Integrity Commission differs with Transparency International in the approved criteria, as the organization relies on three criteria to measure corruption in Iraq and most of the parties are from outside Iraq, while the Iraqi Integrity Commission relies on Questionnaire method on bribery and judicial procedures related to anti-corruption as indicators to measure corruption.
3. Transparency International's reports have encouraged Iraq to legislate national laws, join international conventions, and form anti-corruption bodies, and have contributed to reducing corruption and improving Iraq's image in the ranking of Transparency International's reports.

4. The Iraqi Integrity Commission called on the International Healing Organization to adopt information from solid organizations, make their reports scientific, have a headquarters in Iraq, and rely on the information of solid institutions from inside Iraq.

Recommendations

1. Activating joint action and direct contact with the United Nations Development Program to be the link between Iraq and Transparency International, to clarify Iraq's role and measures in the fight against corruption in order to improve its image in the Corruption Perceptions Index.
2. Demanding Transparency International to adopt the local indicators issued by the Integrity Commission and to adopt additional sources in order to strengthen its reports and indicators and to open a headquarters in Baghdad and rely on solid non-governmental organizations to enhance their information.
3. The executive authority in Iraq must study the local reports of the Integrity Commission and the indicators of Transparency International jointly by the governmental control authorities in Iraq, NGOs, the private sector and the media with sufficient care and direct criticism with a scientific and practical, studied and sober vision to ensure that Iraq is at a realistic level in its ranking within Transparency International's Corruption Perceptions Index.
4. Activating the Joint Anti-Corruption Council in Iraq and taking over the preparation of a joint action plan with the oversight institutions and the Non-Governmental Organizations Department in the Council of Ministers to contact Transparency International, directly or indirectly, by investing its relationship with the private sector, civil society organizations and the media.

Reference

1. Manal Abdul-Hadi Mahdi, The Credibility of International Reports on Corruption Indicators, "The Case Study of Iraq in Transparency International Reports, published research, 2014.
2. Abdul Wahed Karam, Legal Aspects of Combating Corruption in Iraq, 1st Edition, Dijla Publishing House, 2015.
3. Suryasa, I. W., Rodríguez-Gámez, M., & Koldoris, T. (2021). Get vaccinated when it is your turn and follow the local guidelines. *International Journal of Health Sciences*, 5(3), x-xv. <https://doi.org/10.53730/ijhs.v5n3.2938>
4. Haider Ali Abdullah Al-Jashami, Corruption and Integrity in Iraq, 3rd Edition, Dar Al-Din for Administrative and Economic Sciences, 2014.
5. The annual report of the Integrity Commission for the year 2006
6. Annual report of the Integrity Commission for the year 2007
7. Annual Report of the Integrity Commission for the year 2008
8. Annual Report of the Integrity Commission for the year 2009
9. Annual Report of the Integrity Commission for the year 2010

10. Annual Report of the Integrity Commission for the year 2011
11. Annual Report of the Integrity Commission for the year 2012
12. Annual Report of the Integrity Commission for the year 2013
13. Annual Report of the Integrity Commission for the year 2014
14. Annual Report of the Integrity Commission for 2015
15. Annual Report of the Integrity Commission for 2016
16. Annual Report of the Integrity Commission for the year 2017
17. Annual Report of the Integrity Commission for the year 2018
18. Annual Report of the Integrity Commission for the year 2019
19. Annual Report of the Integrity Commission for the year 2020
20. Annual Report of the Integrity Commission for the year 2021
21. The Integrity Commission, an article published on the Commission's website entitled (Why Polls) and available at the link, www.nazha.iq , last visit 21/2/2022.