

# Advocacy Case Studies: Iraq

Ramses Hilton | 27 – 28 February 2010 | Cairo, Egypt



المركز الدولي لقوانين منظمات المجتمع المدني  
The International Center for Not-for-Profit Law

# Background

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- ▶ Until the invasion of Iraq in 2003, the NGO law, *Law 13 of 2000*, was one of the most restrictive in the MENA region
  - ▶ Article 4(1) prohibited any society that was “in conflict with the principles and objectives of the great revolution of 17 – 30 July,” so no non-Ba’ath NGOs were allowed to exist
- ▶ After the war, the Coalition Provisional Authority passed CPA Order 45, which was also very restrictive because of security concerns
- ▶ Iraqi civil society leaders wanted to replace CPA Order 45 with a new, modern, enabling NGO law

# Developing the Plan: Issue Identification and Analysis

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- ▶ Issue: Positive Reform of Iraqi NGO Law
- ▶ Major Players + Positions:
  - ▶ Ministry of State for Civil Society Affairs
  - ▶ Parliamentary Committee on Civil Society Affairs
  - ▶ Parliamentary Committee on National Security
  - ▶ Ministry of Interior
  - ▶ Sunni, Shi'a, Kurdish political party blocks
  - ▶ Iraqi Civil Society Organizations
  - ▶ International Civil Society Organizations
- ▶ How was each influenced?

# Developing the Plan: Cultivating Individual Relationships

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- ▶ Instead of attacking government officials, Iraqi civil society leaders spent *months* cultivating relationships with key officials in the government (Ministry of State for Civil Society Affairs) and parliament (Parliamentary Committees on Civil Society, Development, National Security)
- ▶ Civil society leaders met several times with key leaders who were opposed to law reform to discuss the benefits of an enabling law and respond to concerns about money laundering and terrorist financing
  - ▶ Minister of State for Civil Society Affairs
  - ▶ Prime Minister
  - ▶ President of Civil Society Committee of Iraqi Parliament
  - ▶ President
- ▶ Eventually key government officials invited civil society leaders to take part in the revision of the March 2009 government draft

# Developing the Plan: Building a Coalition

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- ▶ **March 2008: Government / Civil Society Roundtable I**
  - ▶ All participants agreed on joint government / civil society principles to guide new law
- ▶ **Consultation Meetings in 18 Governorates**
- ▶ **May 2009: Government / Civil Society Roundtable 2**
  - ▶ Focus was on social and economic development and reconstruction
  - ▶ Iraqi and international leaders explained the role of civil society and why the Ministry's draft law would limit civil society's contribution to rehabilitation of Iraq
  - ▶ International experts (ICNL) explained principles of civil society law for new Iraqi government officials
- ▶ **Mailing Lists**

# Developing the Plan: Public & Media Outreach

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- ▶ **Domestic Activities:**
  - ▶ TV and Radio programs on civil society law broadcast all over Iraq
  - ▶ Live roundtable discussions and debates between government and civil society leaders on civil society law principles
  - ▶ Workshops and conferences all over Iraq to activate public support for civil society law reform and educate the public and civic leaders about basic principles of civil society law
  - ▶ Meetings in parliament with officials and MPs
  - ▶ Distribution of books and brochures on civil society law
  - ▶ Posters and public art campaigns
- ▶ Iraqi civil society leaders also asked the international community to get involved, and organized meetings with US Ambassador, EU representative, UN High Commissioner, and other private and public donors
- ▶ International community lobbied the Iraqi parliament and government to support positive civil society law reform

# Legislative Drafting

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- ▶ International and domestic CSOs supporting Parliament's Civil Society Committee
- ▶ Drafting Meetings for First, Second, and Third Readings in Parliament
- ▶ With elections scheduled for March, Iraqi civil society leaders began pushing MPs to pass a new *Law on Non-Governmental Organizations* before the election
  - ▶ Civil society leaders made it clear that they would not support candidates who voted against improvements to the NGO law
- ▶ On January 25, the Iraqi Council of Representatives approved a new *Law on Non-Governmental Organizations* that is among the best in the entire MENA region!