

Assessments Staff Intelligence Update, 11 October 2005

IRAQ'S CONSTITUTION: REFERENDUM PROSPECTS

Iraq's constitutional referendum will take place on Saturday 15 October. This paper summarises relevant intelligence arising since [the JIC Assessment] of 15 September, "Iraq: The Draft Constitution and Sunni Violence". The selection of this material and its presentation are the responsibility of the Assessments Staff, although it incorporates comments from FCO, DIS, and the Agencies.

1. A majority of Iraqis from across all governorates intend to vote in the referendum, according to polling carried out by the US State Department, although the poll showed that public awareness of the content of the constitution was limited. A majority of voters in Salah ad Din and Ninewa governorates would vote "no" (for security reasons the poll did not include Anbar). However Sunni Arab groups have no single voting strategy and, with poor security conditions in Sunni areas, we continue to judge it unlikely that opposition will reach two-thirds of those voting in three governorates – the requirement to veto the constitution.

Security: increased attacks and intimidation

2. Multinational Force (MNF) operations along the Euphrates river have been designed to disrupt insurgent attack planning and allow voter registration and participation; it is not yet clear how successful they have been. Some Sunni leaders have publicly claimed that the operations are designed to prevent Sunnis from voting.

3. In the last two years, Ramadan has been marked by increased violence. This year it also coincides with the referendum. Intelligence shows insurgents, including Zargawi-related groups, are trying to disrupt the referendum preparations and intimidate voters. According to the Iraqi MOD's election security office, there were assassinations and intimidation of election officials in Diyala province in late September. The number of attacks across the country has risen from a daily average of around 75 four weeks ago, to a current level of over 100. MNF analysis predicts that there will be a surge in coordinated attacks nearer polling day. However we have no specific intelligence about insurgent tactics on the referendum day itself. [...] Sunni Arab political groups have been seeking to persuade some Sunni insurgents to suspend attacks against the MNF – however there is no evidence that any insurgent groups have agreed.

4. Some reports implicate Iraqi Security Forces (ISF) elements in disrupting referendum preparations. The Iraqi National Intelligence Service believe that Ministry of Interior forces plan to prevent 1000 probable opponents of the constitution in Anbar province from voting. According to [...] ISF raided [...] on [...]. Such incidents (whether true or not) help reinforce the perception among Sunni Arab communities that the playing field is being tilted against them. The abortive attempt by Shia and Kurdish TNA members to alter the referendum rules to make it harder to veto the constitution will have reinforced Sunni feelings that they are being disenfranchised.

Logistics: tight timelines, but largely on track

5. According to MNF reporting all electoral materials have now been received in Iraq, and delivery to polling stations is scheduled to begin on 12 October. Distribution of the draft constitution is underway, although [...] UN officials have expressed concern that MNF military operations, the tight timeline, and intimidation, may hamper effective delivery of the draft in Sunni Arab areas. [...] on 9 October Foreign Minister Zebari (a Kurd) complained to the UN that only 100,000 out of 1 million copies of the constitution had been received in Kurdistan, (blamed on printing and transportation difficulties).

Voting intentions

6. No **Shia** party has called for a “no” vote, and overwhelming support for the draft is expected in southern Iraq. Intelligence indicates that Shia political groups are focussing more on the December elections than the referendum. Grand Ayatollah al-Sistani has let his followers know that he recommends a vote in favour of the constitution, but he has stopped short of making this a formal obligation on the Shia. Other Shia clerics have kept their position more ambiguous, hinting that they do not approve of the constitution (described by some as un-Islamic), but that their followers should make up their own minds whether a redraft would be any better.

7. **Muqtada al Sadr** has deliberately kept his position vague, and has reportedly announced that his supporters should vote with their conscience. Sadr is known to be opposed to parts of the constitution which he believes could lead to further sectarian division. A Sadrist-linked newspaper called for a “yes” vote, but [...]. It is not clear if Sadr plans to clarify his position in advance of the vote; we judge he is likely to prefer continued ambiguity, so that he is not seen to be opposing either Sistani or the Sunni communities, and affording himself greater room for manoeuvre ahead of the December election.

8. **Iyad Allawi** has publicly [...] called for a “yes” vote, [...] Allawi argues that the constitution should be viewed as a living document. [...]

9. [...] Media reports quoting MUC leader Harith al Dhari provided no clear instructions to his supporters about whether to vote or not. Local Sunni tribal leaders will have considerable sway over the voters in their area: some have recommended a “no” vote, but we do not know the views of many others, making it difficult to predict Sunni Arab turnout or voting intentions nationally. However the main Sunni political groups judge that they do not have sufficient votes to veto the constitution. [...] and that the IIP will accept this so long as the voting is free and fair. (Comment: other Sunni politicians have emphasised this last caveat, [...])

10. The **Kurdish** parties fully support the draft constitution, which incorporated almost all the Kurds' demands. The expectation is that the Kurdish region will vote overwhelmingly in favour. The Kurdistan Democratic Party (KDP) is [...] encouraging all Kurds to vote “yes”, and expects 90% to vote in favour. The KDP also claims to have spent time and money persuading Sunni Arabs in its area to support the constitution.