

**(Certification of Political Entities and Coalitions) for
The Iraqi Parliamentary Elections**

Regulation no. (3) of 2013

Pursuant to the authority granted to the Board of Commissioners in Article 4, Paragraph (2 and 8) of the Independent High Electoral Commission (IHEC) amended Law no. 11 (2007), and the dissolved CPA order no. (97) of 2004, we decided to issue the following regulation:

(Preamble)

The Independent High Electoral Commission (IHEC) was established by the amended Law no. (11) of 2007 to be the exclusive electoral body in Iraq. The IHEC is a professional, independent, neutral body with juridical personality and subject to the supervision of the Council of Representatives (CoR).

Part One

(Definitions of Terms)

The following terms mean:

1. **The Commission:** the Independent High Electoral Commission (IHEC).
2. **Eligible voter:** a person who meets the legal requirements for the citizenship and eligibility to vote in the elections.
3. **National Office:** the headquarter of the IHEC office for the electoral Administration in Baghdad.
4. **Kurdistan Region Electoral Office (KREO):** the IHEC office for the electoral administration in Kurdistan Region of Iraq.
5. **Governorate Electoral Office (GEO):** the IHEC office for the electoral administration in the governorates.
6. **Political entity (PE):**
 - A- An organization or political party which consists of persons who come together on the basis of common ideas, interests,

and views, in order to express their interests and enable their delegates from running for public office, provided the organization or entity gets official certification as a political entity by the IHEC.

- B- **An individual PE:** a person who submits an application for certification to the IHEC to be certified as an individual PE who wishes to run for the elections.
- C- **Coalition:** Two PEs or more combined to submit a unified list of candidates representing all the coalition's components.
- 7. **Code of conduct:** A set of provisions stipulated in a special form developed for this purpose, by which PEs should abide by in their relations with the electoral parties.
- 8. **Head of PE:** a person who heads a PE and should be identified in the certification application submitted to the IHEC.
- 9. **Previous elections:** National Assembly Elections in 2005, Iraqi CoR Elections in 2005, Governorate Council Elections (GCE) in 2009, Parliamentary Elections of the Kurdistan Region of Iraq in 2009, Iraqi Council of Representatives Elections (CoR) in 2010, GCE for governorates not organized with a region in 2013, Parliamentary Elections for Kurdistan Region of Iraq in 2013.
- 10. **Media campaign regulation:** A set of rules that organizing the provisions of electoral campaigns conducted by the PEs and coalitions during preparation period for the electoral event.
- 11. **Electoral campaign account:** an account opened in an accredited Iraqi bank to spend on the electoral campaigns only.
- 12. **Financial accountant:** the person who compiles, tabulates, and documents all financial transactions for the PEs and candidate, during the electoral campaign period, and prepares the financial reports backed by documents, as per legal provisions in effect.

13. **Electoral Judicial Panel (EJP):** a body from the Court of Cassation which consists of three part-time judges to consider appeals referred to them by BoC or by those affected by BoC decisions.

Part Two

(Certification of Political Entities)

Article 1:

IHEC shall determine a period of time to submit PEs applications for certification. The period will be determined by the BoC decision.

Article 2:

In order to participate in the elections, a PE (political party or organization, individual PE, or coalition) may submit an application for certification to the IHEC, on the condition of meeting the conditions stipulated in this regulation.

Article 3:

Women may submit an application for certification of a PE representing women (foundation and nomination), whether an individual or a group.

Article 4:

A PE may submit the application to the National Office in Baghdad, or to the KREO, or to the GEO.

Article 5:

The PE should submit the following data with the application:

- A. PE full name
- B. Head of PE name, address, contact info, and signature
- C. Copy of the code of conduct signed by the PE head
- D. The PE should deposit the following amounts:
 - 1- A sum of (10,000,000) million Iraqi Dinar in IHEC account for the individual entity, and (50,000,000) million Iraqi Dinar for the group (party).
 - 2- Deposit a sum of (5,000,000) million Iraqi Dinar in IHEC account if the individual entity is a woman, and (25,000,000) million Iraqi Dinar for a group of women, if the PE is exclusive to women (foundation and nomination).
- E. Submit a soft and hard copy of the PE's rules of procedure that organize the activities of the political entity (except individual entity and coalition). The rules of procedure should include the measures of selecting the head, Secretariat or body or political bureau, as well as the structure and the PE's financial sources which should be available for any individual to review.
- F. Submit a hard and soft copy of the PE's emblem.
- G. Submit a list of eligible voters including no less than (500) voters, containing their names, date and place of birth, addresses, signatures, and numbers and dates of nationality certificates, as well as a pledge that they have not signed for any other PE for the same purpose.
- H. Name and contact info of the authorized representative who liaises with the IHEC as a liaison officer, at the national, regional, or governorate levels.
- I. Email address of the PE, for notifications and correspondence.
- J. Name of the financial accountant of the PE.
- K. Bank account number of PE.
- L. Letter from Justice and Accountability Commission, stating that the head of PE is not included in the JAC procedures.

Article 6:

A PE previously certified in the previous elections may submit an application for re-certification according to the procedures in application of this regulation.

Article 7:

The PE which submits an application for certification should adhere to the code of conduct signed by the head of the PE.

Article 8:

A PE will be accredited by the IHEC if it meets the following conditions:

- 1- If the application meets the conditions stated in Article 5 of this regulation and the application is not missing essential data.
- 2- The application should be submitted according to the forms developed by the IHEC for this purpose.
- 3- Name and logo of the PE should not be similar to another registered PE or in the process of registration; otherwise the priority will be given to the PE that registered first.
- 4- Name and logo of PE should not evoke hatred, violence or violate the public order, and should not contain a personal photograph (except individual) or military or religious symbols.
- 5- A PE should adhere to what stipulated in regulation no.(1) concerning (organizing expenditures on electoral campaigns)

Article 9:

If the application does not meet the certification requirements as per stipulated in Article (7) of this regulation, The IHEC will notify the PE with its decision, and the PE should amend and complete

the application and submit it to the IHEC within the specified deadline set for certification of PEs.

Article 10:

Any PE may submit a complaint to the BoC about any decisions issued by the IHEC concerning the certification, according to this regulation.

Article 11:

Any PE can appeal against the BoC decision before the EJP
.within (3) days, starting from the next day of publication

Article 12:

Only the IHEC has the right to request from a PE to make amendments to the certification application, for the purpose of applying this regulation.

Article 13:

A PE may not participate in the elections and submit a list of candidates, unless it gets certification from the IHEC.

Article 14:

Only a certified PE has the right to form a coalition and submit a unified list of candidates.

Part Three

(Certification of Coalitions)

Article 15:

Any two certified PEs or more have the right to form a coalition in order to present a unified list of candidates, under a form developed by the IHEC for this purpose. A coalition may not be formed by individual PEs.

Article 16:

BoC will determine the period to accept the applications for coalitions' certification. Application for certification of coalitions shall either be submitted to the N.O., GEO, or KREO

Article 17:

PEs, which forming a coalition have the right to select a head for the coalition or refrain from doing so. In case a coalition head has been selected, the process should be done under a minute signed by the heads of the entities forming that coalition.

Article 18:

Political entities applying to form a coalition shall consider the following conditions:

- .1 A written application under a form developed by the IHEC for this purpose shall be submitted, provided to fill out all the data listed in this form
- .2 A hard and soft copy of the coalition's emblem
- .3 Name of the authorized representative of the PE who represent the coalition at the National Office, GEO, or KREO
- .4 The application should be signed by the heads of all PEs forming the coalition, along with a copy of the code of conduct for every PE
- .5 Name of the head of coalition (if any), attaching a copy of his election minute signed by the heads of all PEs

Article 19:

A coalition will be certified if it meets the following conditions:

1. If the application is not missing essential data and meets the conditions of this regulation.
2. Name and logo of the coalition should not be similar to another registered coalition or in the process of registration, and the coalition may not be named as the name of one of its components.
3. Name and logo should not evoke hatred, violence or violate the public order, and should not contain a personal photograph or military or religious symbols.
4. The coalition should adhere to the regulation on. (1) relating to (organize expenditures on the electoral campaigns).

Article 20:

A coalition shall be granted certification if it meets the conditions stated in Article 3 of this part.

Part Four

(Closing provisions)

Article 21:

After certification of PEs, coalitions and lists of candidates, a date will be set to draw a lot in order to obtain a polling number .recorded on the ballot paper

Article 22:

All coalitions certified by the IHEC in the previous elections will be dissolved, and if they wish to renew their certification, they should submit a new application again to .the IHEC

Article 23:

- A. Registration of a coalition name should not hold or bear the name of a dissolved coalition that participated in the previous elections without its registered entities
- B. In case of submitting a coalition registration application with the same name as registered in the previous elections, it should be submitted by at least the absolute majority (half + 1) of PEs forming the coalition.

Article 24:

The deposited amount will be returned to the PE in the following cases:

1. The PE gained at least one seat in the elections.
2. The PE withdrew and did not submit a candidates' list.

Article 25:

The deposited amount will be returned to the PEs and coalitions which have won and those with the reasons stated in Article 24, after permission from the PE Section and the Advice and Complaints Section in the IHEC.

Article 26:

If one of the cases in Article 24 was not fulfilled, or if BoC abolished the certification of a PE as a penal action, the deposited amount will not be returned to the PE and will instead go to the state's treasury.

Part Five**(Validity of Regulation)**

This regulation shall enter into force as of the date of ratification by the BoC

on 14 October 2013

Board of Commissioners

