



IHEC Regulation No.13

According to the authority which has been given to the Board of commissioners in the article (4), item (8) of the Independent High Electoral Commission's law No. (11), in the year 2007, we decided issuing the following regulation:-

(Observers of elections and referenda)

Regulation no. (13)

(Preamble)

The independent High (Supreme) Electoral Commission in Iraq has been established according to law no (11) of the year 2007 to be precisely the only electoral authority in Iraq, The commission is professional, autonomous, independent, and neutral, subjected to the supervision of council of representatives.

Part 1 (Terminology)

The following terms represented the meaning in the face of each one of them:-

1. **"Commission:-**means The Independent High Electoral Commission.



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2. **"Electoral and Referenda Team of observers"** means a registered group In IHEC, observe the process of UVR and all types of elections and the (regional, local, and federal) referenda, to estimate them then raising a report about them.
3. **"Electoral and Referenda Observer"** means a registered person in the group of observers accredited by IHEC to observe stages of VRU electoral and referenda' operations on behalf of the electoral observer.
4. **"Code of Conduct"** means the Electoral and Referenda's' Observer Code of Conduct issued by the IHEC.

Part 2 (Accreditation of Electoral and Referenda Observers)

1. Electoral and Referendum Observers are an important factor of the democratic process. They are independent from any governmental and commission's directions, their role is restricted in observing the process of the VRU, Elections, and Referenda to produce a report that reflects their integrity and adherence to international standards.
2. PE's Registered by IHEC observe all sides of the process of Elections and Referenda, and appointed the registered teams as observers to enable the team to achieve its job effectively.
3. IHEC accredited Teams of observers, exclusively, and never accredited individual observers. It is not allowed to observe but by observers who are part of an observer team accredited by IHEC only.
4. Accreditation of teams and their observers required signing on the Code of Conduct and restricted with it. Electoral and Referenda's Teams of Observers are responsible for the adherence of their observers with the Code of Conduct. It allowed IHEC to withdraw



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the accreditation of a team or one of the Electoral and Referenda's observers who violated rules of the Codes of Conduct.

5. An electoral observer group, whose accreditation has been withdrawn, got the right to challenge the board's decision within three days from the next date of publication. The appeal shall be submitted to the National Office or to any other IHEC's office in regions and governorates.
6. The Board's decision is final and can be appealed before the Electoral Judicial Panel, according to section 8 of IHEC law No.11 of 2007.
7. IHEC shall issue procedures to control the registration of/and withdrawal of the registration of the team of observers of elections and referenda. Then accredited and withdrew the accreditation of observers appointed by these teams.

Part 3 **(Conditions of the observers' work)**

1. IHEC is not responsible for the transmission, safety, and communications or other support to the electoral observer team.
2. Each team registered by IHEC shall be solely being responsible for all arrangements of support and costs in their observing duties (transport, residence, safety, and communications); The IHEC shall not be responsible for any of these costs. Furthermore, any team of observers and their observers should not use any of the IHEC's means such as equipments or motor vehicles.
3. All teams should fully inform their accredited observers about the (Electoral, Referenda, and the Code of Conduct) operations, before the beginning of any of their activities.
4. Each observer should sign his/her accredited card when receive it. Observers must carry an alternative means of identifications completed with signature or photograph to enable electoral staff in



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registration centers, Referenda, and polling to make sure from their identities.

5. Observers may not, under any circumstances, interfere in the process of referenda and Elections or raise a complaint about them. They may draw the attention of (IHEC's staff, the BOC, and the CEO) to the issues they wish to raise; those are not obliged to act upon these comments.
6. Observers will report their notes to their leaders, by then the team may issue an official public report to comment on these notes to IHEC about the results of their activities. They must provide, whenever possible, evidences and arguments to support all their assumptions and judgments when submitting these reports.

Part 4 (Date of enforceability)

This Regulation shall enter into force from the date of its ratification by the Board of Commissioners on 14/ 4/ 2009.

Board of Commissioners