



### IHEC Regulation No.3

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, and the amended law of the Iraqi- Kurdistan parliament election no. (1) Of 1992, we decided issuing the following regulation:-

## (Accreditation of Candidates)

Regulation no. (3)

Of 2009 of Iraqi Kurdistan Region's Parliament Elections

### (Preamble)

IHEC was established according to law no. (11) Of 2007 to be the only electoral authority in Iraq. It is a professional, governmental, independent, and neutral body with a legal personality belongs to the state and supervised by the Council of Representatives.

### Part 1

### (Terminology)

The terminologies used here indicate the meanings to which they refer:

- 1- **"The commission"** means The Independent High Electoral Commission.
- 2- **"Elections' Law"**:- means the amended law of Iraqi-Kurdistan parliament election no. (1), the year 1992.
- 3- **"Political Entity"**:- Is an organization including the political party on condition that it obtains the official certification as a political entity, by IHEC.
- 4- **"Constituency"**:- It is including the governorates of Kurdistan Region (Erbil, Sulaimaniah, Duhok) for which a number of seats have been assigned according to the law.



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- 5- **"Candidate"**:- Any one who had been certified on for the Iraqi- Kurdistan parliament election according to the procedures of IHEC.
- 6- **"Eligible Voter"**:- Is the individual who meets the legal conditions for citizenship and eligibility to vote.
- 7- **"National Office (HQ)"**:- Is the main IHEC head office in Baghdad.
- 8- **"Regional Electoral Office"**:- IHEC office of the electoral administrative in the region of Kurdistan-Iraq.
- 9- **"Governorate electoral Office (GEO)"**:- IHEC office of the Constituency in the Governorates of the region.
- 10- **"The Coalition"**:- Is a combination of two political entities or more to submit a unified list of candidates in specific elections.

## Part 2 (Application)

The rules of this regulation will be applied on the candidate for the elections of Iraqi-Kurdistan Parliament according to rules of elections law.

## (Part 3) (Candidates and Political Entities)

1. Political entities that are not certified by IHEC shall not be permitted to submit candidate lists for elections.
2. Two or more political entities will be allowed to form coalitions for sharing their interests, submitting a list of their candidates, and organizing a media campaign for their candidates in the coalition.



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3. Political entities and coalitions must submit one list of candidates. PE is prohibited to participate in more than one coalition.

#### (Part 4)

#### (Lists of Candidates)

1. Lists of candidates should include the following:
  - a. Order of candidates in submitted to IHEC, should be arranged by according to place hierarchy.
  - b. The number of candidates in the list should not exceed the number of seats allocated for the electoral district. And not less than three candidates, on the condition that a woman must be enlisted in the 2<sup>nd</sup> order of the 1<sup>st</sup> three candidates .And in the beginning of the second three candidates and in the beginning of the 3rd three candidates ,etc..., till the end of the list to guarantee the women proportion in the list to be at least 30%.
  - c. Kildan, Ashurians, and Sirian components could submit lists composed of five candidates according to what mentioned in item (b) above.
2. It is not permitted for any entity or coalition to withdraw or change the list of candidates or submit a different list after the end of the period for candidate accreditation specified by IHEC, unless it has requested that in order to make the list meet conditions of this regulation. In this case, the entity should submit an amended list before the end of the period specified by IHEC for candidates' accreditation.



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3. Lists should be submitted to Iraq-Kurdistan region's office exclusively.

#### (Part 5) (Candidate's Eligibility)

1. It is a conditioned that the candidate should be eligible voter in addition to the following conditions:-
  - a. A citizen of Kurdistan Region in Iraq and reside in it.
  - b. Know well writing and reading.
  - c. Should be fully eligible and of a twenty-five years old at the time of candidacy.
  - d. He/she must not sentence to imprisonment for crimes against morality, literature, and general integrity.
  - e. Must not share in crimes planned by suppressive regime or those committed in Iraq-Kurdistan Region.
2. IHEC could send candidates' lists to stakeholders to ensure the candidate's eligibility.

#### (Part 6) (Certification of candidates' lists)

1. A period of time is specified by IHEC through which certification requests of coalitions and political entities' lists are received, any certification requests will not be received after or before this period.
2. The request should be written with a prepared form made by IHEC.
3. The information required for all lists will include the following:-



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- a. The name of a political entity, coalition, number of certification, name of the authorized representative, and means of contacting him/her.
  - b. Specifying the component to which the PE belongs.
  - c. The Full name, gender, place and date of birth, and place of residence and minority for every candidate on the list, his signature and means of contacting the candidate.
  - d. A pledge by every candidate with a text to be determined by IHEC.
4. Each candidate will lose the eligibility of candidacy if false information provided by him/her, and will be liable for all legal consequences.
  5. If IHEC rejects the whole list, the coalition and the political entity will be informed to produce another list within two days on the condition that IHEC will receive them.
  6. If IHEC refused any individual candidates' names, the political entity and the coalition should be notified with its refusal decision. The lists of remaining candidates that meet conditions considered valid as a full list of candidates names in a political entity or a coalition, unless they produced an individual amended list within two days.
  7. If number of candidates increased the allowed utmost level of the electoral list in any electoral district, IHEC should inform the political entity of deleting the extra names which exceeded the specified utmost level within two days otherwise IHEC got the right to delete these names beginning of the last name in the list, and informing the political entity or the coalition in relation, By that the list will be valid.
  8. If one of the candidates names in the list was removed in an electoral district after the end of the nominating period for vanquishing reasons such as death or disability, the rest of the list which meeting the conditions will be valid as a perfect candidate's list for each political entity or coalition.





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9. If a candidate enlisted his/her name in more than one list, or if the entity participates in that, IHEC should take the necessary procedures against the political entity or the candidate by withdrawing the name of the candidate.
10. It is impossible that any political entity or a coalition withdrew from the elections in any electoral district after the end of the specified period that has been decided for the certification of candidates by IHEC.
11. IHEC could publish the certified candidates' list in a period before fifteen days at least, from the polling day.
12. The political entities and their candidates could challenge IHEC's decision, which tells to refuse the certification of the candidates' lists, in front of the Electoral Judicial commission in Iraq-Kurdistan cassation court within three days of the informing date.

### **(Part 7)** **(Decisions of IHEC)**

- IHEC will specify the techniques of applying its regulations against any political entity or a coalition and it might include considering the candidates not eligible, or withdrawing the certification from the coalition or the political entity.

### **(Part 8)** **(Date of enforceability)**

This Regulation shall enter into force from the date of its ratification by the Board of Commissioners on 13/ 4/ 2009.