



## IHEC Regulation No.9

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 elections of Iraq -Kurdistan Region's Parliament Elections no. (1) Of 1992, we decided issuing the following regulation:-

# (Electing the president of Kurdistan region)

Regulation no. (9)  
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 following terms represented the meaning in the face of each one of them:-

1. **"Commission"**:-means The Independent High Electoral Commission.
2. **"The Board"**:- Is the Board of commissioners in the independent high electoral commission.
3. **"Eligible Voter"**:- Is the person who got all the legal conditions to vote in elections.



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4. **"Candidate"**:- Any one who had been certified on for the Iraqi- Kurdistan parliament election according to the procedures of IHEC.
5. **"Regional Electoral Office"**:- IHEC office of the electoral administrative in Kurdistan Region.
6. **"Court of Cassation"**:- means the cassation court of Kurdistan Region.
7. **"Electoral campaign"**:-is the legal persuasion and Media campaign leaded by a candidate to encourage the voters casting their votes for him/her.
8. **"Electoral Judicial commission (EJC)"**:-A commission consisted of three part-time judges appointed by Kurdistan court of cassation- Iraq.

### Part 2

#### (President of the region)

1. Kurdistan Region will have a president named as the president of Iraq Kurdistan region.
2. Citizens of Iraq Kurdistan elect their president by the general direct secret ballot.

### Part 3

#### (Candidate's Eligibility)

1. The candidate should meets the following conditions:-
  - a. His/her age should be no less than forty years old at the day of elections.
  - b. A citizen of Kurdistan Region in Iraq and reside in it.
  - c. Know well writing and reading.
  - d. Should enjoy his/her civil and political rights.
2. IHEC could send candidates' lists to stakeholders to ensure the candidate's eligibility.



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### Part 4 (Nominating)

1. A period is specified by IHEC through which certification requests are received, any certification requests will not be received after or before this period.
2. The requests will be submitted according to a form specified by IHEC. The candidate should deposit (25.000.000) twenty five million Iraqi Dinars that will be returned back to the winner candidate in elections, otherwise the amount revenue will be returned to the state treasury.
3. The candidate him/herself submits the request. The candidate got a representative does all the procedures related to elections.
4. The request of nomination will be submitted to the electoral regional office.
5. IHEC starts working on nominating requests and announcing the result within a period, four days from the date of submitting the request. The candidate considered informed since the date of announcement.
6. IHEC announces the names of candidates before the day of elections in not less than fifteen days.
7. The candidate got the right to object on the decision of the board by refusing the nomination in front of the cassation court within seven days of issuing the decision.
8. Cassation court will consider the challenges and make its decision about that within two days from the date of submission. Its decision considered definitive and cannot be challenged.
9. The candidate considered informed with the court decision from the date of its issuing.



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10. The candidate loses the eligibility of nomination if it is proved that he/she gave false information that are conflicting with truth and bear all the legal consequences.

## **Part 5**

### **(The electoral Campaign)**

1. The electoral campaign of candidates starts from the date of candidates' certification on the condition that it must stopped before (48) hours of the polling day.
2. Rules and provisions mentioned in the regulation of the electoral campaigns no (4) of 2009 of Iraq Kurdistan Parliament Elections; must be taken into consideration.

## **Part 6**

### **(Election)**

1. All mentioned conditions would be applied on the voter in the amended law of Iraq Kurdistan Parliament Elections no. (1) For the year 2009.
2. The electing of the president of the Iraq Kurdistan's region will take place in the same day specified for the Iraq Kurdistan Parliament Elections.
3. General Direct Secret Ballot will be used in election.
4. Who got the simplest voices of the votes considered the winner.

## **Part 7**

### **(Complaints and Challenges)**

1. BOC will consider the decisions related to election.
2. Decisions of the Board will be published in three daily newspapers for three days and in both languages, Arabic and Kurdish.



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3. Decision of the board shall be subject to appeal by the judicial commission of elections three days commencing from the day following the publication.
4. The electoral judicial commission will decide the appeal within ten days from the day of its receipt to the court.

### Part 8 (Validation of results)

1. IHEC announces results of the election.
2. The announced results will be subject to appeal by the judicial commission of elections three days commencing from the day following the publication.
3. The electoral judicial commission will decide the appeal within ten days from the day of its receipt and results considered valid after deciding all challenges.

### Part 8 (Date of enforceability)

4-1 This Regulation shall enter into force from the date of its ratification by the Board of Commissioners on 13/ 5/ 2009.

Board of Commissioners