



کۆمیسۆنی باڵای سه ره خۆی هه لێژارد نه کان له عێراق

## The Independent Electoral Commission of Iraq

### FAQ – Election Offences

#### ***Which document defines election offences?***

The Independent Electoral Commission of Iraq (IECI) has issued Regulation 11 – 2005, "Election and Referendum Offences", which defines election offences and specifies punishments for such offences, in accordance with Elections Law.

#### ***What constitutes an election offence?***

Any of the following acts committed by any person constitutes an election offence:

- Voting more than once.
- Impersonating, or using the name of another person for the purpose of voting.
- Nominating oneself in more than one district or on more than one list.
- Carrying a firearm, or any other instrument that threatens security in any polling centre on the day of the election.
- Entering an election or tally centre by force to influence the election process or to inflict harm on any of the election officials.
- Impeding the freedom of the election or hampering the election process.
- Tampering with any of the voting boxes, counting sheets or ballots or stealing any of these boxes, sheets or ballots or destroying them or conducting any act with the intention of affecting the integrity of and secrecy of the election.
- Committing any prohibited act stipulated in Chapter Five of Elections Law (Media campaign), namely: violating campaigning timeline, as prescribed by Elections Law (candidates may conduct their campaigns from the date of nomination to the day immediately preceding election day); use of any government resources for election campaign; defaming another candidate or inciting any kind of chauvinism; attempting to influence the voters by means of gifts, donations or promises; posting campaign materials in locations not designated by local council or municipalities.
- Broadcast, publication or distribution (or authorizing it) of any knowingly false information related to the electoral process/results.

#### ***How any of these acts shall be punished?***

Any person committing any of the abovementioned acts shall be punished by imprisonment for no less than three months and no more than one year, or a fine of no less than 500,000 Dinars and no more than 1 million Dinars, or both imprisonment and a fine.

#### ***What is an infringement of secrecy?***

- Interfering or attempting to interfere with a voter when marking his or her vote.
- Coercing or attempting to coerce a person against her/his will into revealing information as to the way he or she or any other person voted.
- Breaking a seal on or opening any packet sealed at the polling or counting center pursuant to the electoral rules.

#### ***What constitutes an offence on the part of a political entity?***

If any personnel of the Iraqi Armed Forces campaigns for any political entity or candidate; any political entity or candidate campaigns outside the campaign period or within 100 meters of a polling center, as specified in the law or the regulations; or if any senior member of a political entity violates the Code of Conduct.

#### ***What sanctions may be imposed by the IECI on political entities, observers and agents or any other person within its jurisdiction?***

The range of sanctions available to the IECI includes:

- remedial action;
- fines;
- decertification of a political entity;
- prohibition of an individual from participation in an election;
- disqualification of a candidate from a political entity list; and
- revocation of the accreditation of an observer organization or of an individual observer or agent.