



جمهورية العراق
الموضية العليا المستقلة للانتخابات
كۆميسونى بالآى سه ربه خوى هه لُبْزارد نه كان
The Independent High Electoral Commission

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 governorate council, districts, and sub-districts' elections no. (36) Of 2008 (amended), we decided issuing the following regulation:-

(Regulation)
(Formation of region)
No. 12, year 2008

(Preamble)

The independent High (Supreme) Electoral Commission in Iraq has been established according to the 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 the council of representatives.

(1st Section)
(Terms of IHEC)

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

1. **"IHEC"**:-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 and referendum according to valid laws.
4. **"National Office"**: The centered IHEC office of the electoral administrative in Baghdad.
5. **"Regional Electoral Office"**: IHEC office of the electoral administrative in Kurdistan Region.
6. **"Governorate Electoral Office"**: Is the IHEC office of the electoral administrative in specific governorates.
7. **"Governorate"**: Is an administrative unit within a geographical borders consists of districts, sub-districts, and villages.
8. **"Governorate Council"**: Is the board formed by the constitution.
9. **"Questionnaire"**: Is a technique depended by IHEC in case of multiple needs to choose the form of the region where the voting occurred.
10. **"Application Support register "**: Is a record where all requests are listed especially of those who met the conditions of voters to support the request submitted in the exact area for the expense of quorum.

(2nd Section)
(Methods of Forming Regions)

1. The region consists of one governorate or more.
2. the region's formation will be under constitution, by the following methods:
 - a. A submitted application by one third of the members of each council of the governorates councils formed under the constitution which wishes to form the region.



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- b. An application submitted on tenth of voters in each governorate of the governorates which wish to form regions.
- c. If a governorate wishes to join a region, it must submit an application on third of the govern rate's members with the approval on third of the regional legislative council.

(3rd Section)
(Authorities)

1. BOC got the authority to issue regulations, procedures, and decisions concerns organizing, implementing, and supervising constitution for the formation of regions.
2. BOC may transfer its authorities to the CEO.
3. IHEC is charged by the council of ministers to handle the referendum procedures in the region wanted to be formed within a period that does not exceed three months if the request was submitted from one third of the members in each council of the governorate councils which formed by the constitution.
4. IHEC will announce and certify the referendum's results related to the formation of region.
5. IHEC will submit the results within the next three days following the date of certifying the results by the Council of ministers.

(4th Section)
(Procedures of forming regions)

1. Procedures of forming regions by the GC or the regional legislative councils.
 - a. If the request of forming regions was produced by the GC or the regional legislative councils, it would be produced to the council of ministers and approved with the signatures of the heads or legal representatives of the GC or the regional legislative councils on the account of the manners and within a period that does not exceed one week.
 - b. Council of ministers charges IHEC within a period that does not exceed (15) days of submitting the application of the referendum's procedures within the region formed through a period that does not exceeded three months.
2. Procedures of forming regions by the existence of on tenth of the voters:
 - a. Producing the application to the office of IHEC starting with (2%) of the voters.
 - b. IHEC will depend on the last electoral register that certified by the BOC to specify the voters.
 - c. The application will be produced to IHEC office in a specified area including forming the region in relation.
 - d. Within a period of three days of the date of the BOC' s certifying, IHEC will achieve the following:
 - First: Announcing the application and the form of the region in form of newspapers and media.
 - Second: Specifying time and place of receiving supporting requests of the application on the condition that the period of receiving the demands no less than a month.
 - e. IHEC will organize a record to receive supporting requests to determine that the legal quorum has been achieved.
 - f. The submitted requests from the persons who met the conditions of voting will be listed in the record of supporting on the condition that they are residence of the relevant governorate.

(5th Section)
(Procedures of applications' settlement)



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1. If one third of the GC members certified the applications, procedures mentioned in the article (1) of the fourth section will be followed.
2. If the produced applications were demanded by more than one side according to the item (a-3), 3rd section, then the following procedures are followed:-
 - a. If more than one third of any GC's members agreed on one of the applications, it would precisely be accredited by councils and the procedures mentioned in Article (1) of the 4th section will be followed.
 - b. IHEC receives all the applications that meet the law and related to the shape of the region.
 - c. Office of IHEC made a questionnaire in a governorate including demands of applications.
 - d. IHEC specifies, by a decision from the BOC, the time and place of receiving votes of the voters to participate in the questionnaire on the condition that the period does not exceed two months from the date of submitting requests.
 - e. The form of the region which will be produced by referendum and got on most of the voters' votes in the questionnaire will be considered.

(6th Section)

(Referendum and Appeals' Procedures)

1. A) IHEC be responsible for arranging, implementing, and supervising by its offices in governorates or related regions who will arrange the procedures of referendum and in the exact period which specified in Article(3) of the second section.
B) Referendum of forming regions considered successful if:

First: Got the majority of the voters' voices in each governorate between those who wish to join the region.

Second: - The average of the participants in voting should be no less than (50%) of the voters in the related governorate according to the last certified electoral register.

- C) In case that the referendum does not achieve its goals then it is possible to reorganized after a year of the announcement of the results and by the same procedures which has been followed.
2. Results of the referendum will be announced on the form of regions within (15) from the date of its organizing.
3. A) Each person of an interest got the right in appealing the result of the referendum within (17) days from the date of the announcement.
B) BOC should set these appeals within a period that does not exceed (10) days from the date of submitting the appeal.
C) The previous appeals are excluded from the regulation of electoral complaints and appeals no. (2) Year 2008.

(7th Section)

(General laws)

1. IHEC will be responsible for arranging and supervising the Regional Legislative elections.
2. IHEC got the right to extend the period of arranging referendum procedures of forming regions for only one month and once, with the knowledge council of ministers.
3. IHEC will do the step of updating the VR for each governorate wish to form a region before an appropriate period.
4. Applications that are submitted after the announcement on the questionnaire period are not accepted, till the referendum on forming regions is achieved.



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(8th Section)

(Date of enforceability)

This Regulation shall enter into force from the date of its ratification by the Board of Commissioners on 11/11/ 2008.

Board of Commissioners

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