



جمهورية العراق  
الموضية العليا المستقلة للانتخابات  
كؤميسونى بالآى سه ربه خؤى هه لؤبؤارد نه كان  
The Independent High Electoral Commission

According to the Constitution of the Republic of Iraq for the year 2005; and pursuant to the provision of the item (6), article (9) of the Independent High Electoral Commission's law No. (11), dated on 26/2/2007; we decided issuing the following regulation:-

**Rules of Procedures of the Board of  
Commissioners  
No.1 of the year 2007**

The independent High Electoral Commission in Iraq has been established according to the law issued by the parliament No. I at 26/2/2007 to be, precisely, the only electoral authority in Iraq, also it had been considered as Professional, governmental, independent and impartial and of an ethical body under the provision of the parliament.

**Section 1  
(IHEC Terms)**

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

1. **IHEC:** - The Independent High Electoral Commission
2. **Council of representatives:** - As it had been explained in the constitution of the republic of Iraq, year 2005.
3. **The supreme Federal Court:** - Independent judicial body financially and administratively under the federal judicial authority.
4. **The Board:** - Board of commissioners (BOC).
5. **The Electoral Administrative:** - is composed of the National Office and the electoral offices in the governorates and the region.
6. **National Office:** The centered IHEC office of the electoral administrative in Baghdad.
7. **Regional Electoral Office:** IHEC office of the electoral administrative in Kurdistan Region.
8. **Governorate Electoral Office:** - IHEC office of the electoral administrative is related to a particular governorate.
9. **Electoral Judicial Body:** - A body which consisted of three judges appointed by the court of appeals that looked in appealing the final decisions of the board, and as mentioned in article (8) of IHEC law.

**Section two  
(Board of commissioners)**

1. IHEC is responsible for the following tasks :-
  - a .Setting out principles and reliable rules in the federal, local and regional elections and referendum in the provinces that are not organized into a region. And declaring, organizing, and executing all types (federal, local, and regional) of elections and referendum of the provinces not organized into a region.
  - b . The Regional Electoral Body, coordinates and cooperates with the national office to achieve tasks of the administrative body and the electoral regulations (electoral, regional, and local) concerning the region under IHEC supervision.
2. IHEC consists of the Board of Commissioners and the Electoral Administrative :-
  - a . The Board of Commissioners is the highest authority in the IHEC. It consists of the Board of Commissioners and the Electoral Administration from whom a chairperson, a Deputy Chairperson, a rapporteur and a non-voting CEO is elected for a period of one year renewable by a majority of at least five of its members at the first session held by the Board.
  - b. The Board, with a majority of five of its members, can remove any elected member from any of the above-mentioned posts before the end of his/her tenure based on the public interest or in case he/she submits a request to be removed from the post.
3. In addition to what has been mentioned above , the board shall:-
  - a . Issue IHEC's general politics concerning the electoral process.
  - b Issue regulations, decisions, procedures, and instructions to guarantee planning, organizing, and successful implementing and observing electoral processes and referendum in all of Iraq.
  - c .Prepare and produce quarterly reports to the council of representatives.
  - d Certify the electoral administrative structure and applications in the superior posts.
  - e . Set up the inner system of IHEC.
  - f .Supervise the electoral administrative performance according to the tenth section of this regulation.
  - g . Project and practice the financial responsibility in using IHEC resources and demand financial support from the international society in the necessary time and plan the assessment budget, on which the electoral administrative take hold of the accounts of these resources.



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- h . Adjudicate all complaints and electoral disputes, with appealed decisions in front of the electoral judicial body.
- i . Declare all types of the electoral results.
- j . Issue another rules of procedures according to the urgent developments.

**Section three**

**(Responsibility and transparency)**

1. The Board practices his/her authorities with full transparency and loyalty.
2. Sessions of the Board should be restricted to the members of the board. It is possible to invite persons in relation according to the request of the all/one of the members of the Board.
3. All decisions should be sealed with special (numbered and sealed board's stamp) according to a special sample made for this purpose, all decisions shall be written in a special register book kept in the rapporteur's custody contains all the signed decisions which has been issued by the BOC in its meetings for the matters of issuing and declaring in IHEC or outer sides in relation according to the line mentioned in item 3 of the ninth section of this regulation.
4. The board shall exert the necessary efforts to communicate with the political entities and other polls in relation in the electoral process.
5. The general secretariat undertakes the responsibility of announcing, political entities, and sides in relation, with the Board's activities concerned to the electoral process.
6. All the board's members must sign the code of conduct related to the Board of commissioners.

**Section four**

**(Meetings of the Board)**

1. There are three types of the Board's meetings:-
  - a . Usual meetings are held according to a structured schedule.
  - b . Urgent meetings which are called for by the chairperson.
  - c . Exceptional meetings according to the request of four of the members.
2. Board of commissioners prepared its meetings schedule, chaired them, and administrated the administrative and organized Board's tasks.
3. The vice-chairperson acted on behalf of the chairperson in the absence of the latter. In the absence of the chairperson and his/her vice; the commissioners who got the right to vote, must designate a temporary chairperson to the Board.
4. Meetings of the Board will be valid with the absolute majority of its members. Issuing decisions related to the majority of the members attending the meetings. In case of equally of votes, the side of which the chairperson votes will prevails; otherwise the law issues the opposite of the previous.
5. Preferably, all the decisions of the Board should be issued in unanimously whenever possible; otherwise the application will be the text of the above paragraph.
6. Board's members vote in public unless one of the members requests that the voting be by secret ballot, and then the Chairperson of the Board sorts the votes in front of the attendances.
7. All members should attend all of the meetings of the Board. Vote by proxy is unacceptable.
8. Each commissioner had a deputy act on behalf of him/her in case of his/her absence; the deputy got no right to vote.
9. The Board may invite any person to attend meetings of the Council (including the meetings held in closed sessions) to provide information or advice to the Board.

**Section five**

**(Documents received by the Board)**

The Board received two types of documents:-

1. **Internal Memoranda:-** contains two types of documents:-
  - a . Memoranda which are produced by the chairperson of the Board directly, general secretariat or one of his/her departments.
  - b . Memoranda which are produced by the CEO or from the sections and divisions under the authority of the electoral administration; then these documents will be forwarded by the CEO. Regardless of whether the two previous types include or not, a particular recommendations.
2. **External correspondences:-**
  - a .Correspondences which are produced to the Board by any person or any entity that got interest in the electoral process concerning complaints and appeals which would be circulated by the secretariat.
  - b .If any one of the commissioners and the chief electoral officer receives any document or letter related directly or indirectly to the tasks of the board or matters submit or not at any time in the future to the study of the Board; all these should be produce them to the Board according to their official personality.



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c . Generally, it is impossible to produce any received documents in the meetings to be studied except in the next day.

**Section six  
(Decisions of the Board)**

1. The Board expresses the result of its meetings in form of decisions which might include among other matters issuing regulations, and instructions to the CEO.
2. All decisions of the board recorded according to the technique mentioned in (Item 3 Section 9).

**Section seven  
(Authorities of the chairperson of the BOC or his/her deputy)**

1. Chairperson of the Board is the legal representative of IHEC; hence he got the right to represent it in front of the others.
2. Managing the administrative and the organized job of the BOC by performing the agenda of the meetings, arranging, holding, and to be the chair of the meetings as mentioned in (item 3/material 3) of the 3<sup>rd</sup> chapter of IHEC law.
3. The chairperson got the authorities of a minister regarding official letters with other ministries and official institutions. He should inform the Board with all of his/her activities and official externals certified by the board, in addition to circulate them to each commissioner and to the secretariat to keep them as copies.
4. Any other duties the chairperson is asked to do.

**Section eight  
(Rapporteur's Duties)**

1. Preparing the final and the quarterly reports and producing them to the council of representatives after certifying them by the BOC.
2. Keeping the record of the decisions of the BOC as mentioned in (Item 3) 3<sup>rd</sup> section of this regulation.
3. Following up implementation of the decisions of BOC.
4. Any other duties he is asked to do.

**Section nine  
(Commissioner's Deputy Duties)**

1. The Deputy acts on behalf of the Commissioner in the meetings of the BOC and the administrative tasks which are assigned to him/her by the BOC.
2. The Deputy writes the reports and arranges studies and participates in various committees, makes supervisions and trainings, all are entrusted directly by the BOC.
3. Deputizes for the Commissioner in the field visits to the offices of the provinces involved, or attends seminars, symposia and internal committees representing the BOC.
4. The Deputy manages and supervises all tasks and works which are entrusted to the Office of the Commissioner, also he/she coordinates with the Secretariat.
5. Makes suggestions and recommendations and notes on the agenda of the BOC.
6. Any other tasks assigned by the Board or the Commissioner.

**Section ten  
(The Secretariat)**

General Secretariat of the Board is chaired by the Secretary-General and is composed of the following sections: Legal Section, and the Administrative Section.

The Secretariat shall:-

1. Provide services of legal cancellation and complaints, administrative and secretarial services, translation and any other functions, especially the tasks of the Board.
2. The Secretariat should follow the following steps upon receiving any document submitted to the Board:-
  - a . The codification of the date of receipt in a special stamped registers and to indicate the date of receipt. The document is labeled in the record.
  - b .Circulating copies of the documents to the commissioners including the CEO then archiving them by electronic files including all the received documents according to a serial number.
  - c . Putting the original document in a file containing all the board's papers which are related to the subject of the document.
  - d .taking the advice of the chairperson to put the document in the agenda as soon as possible.
3. The Office of the Secretariat, including the following:-
  - a .Allotment a serial number of each decision.
  - b .Preparation of copies of each decision to each commissioner as soon as possible.



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- c . Making a copy of the decision numbered, and save it in the normal and electronic files containing all the Board's resolutions in numerical order.
- d .Making a copy of the decisions numbered and archiving them in normal files containing papers related to the topic of the decision.
- e .The Secretary-General has to make sure that the Board's decisions in both Arabic and Kurdish languages are published within 24 hours since the date of issuing on the Electronic Web site of IHEC. The Board's decisions and complaints must be published in three daily newspapers, at least for three days, in Arabic and Kurdish languages.
- f .The–secretary general has to make sure that all the regulations of the commission should be published in media in addition to press them on the web site of IHEC.

**Section Eleven**

**(Relation between the GEO and the BOC)**

**1. Relation with the General Electoral Office (GEO):-**

- a .General Electoral Office is the administrative and executive institution in IHEC which is chaired by the Chief Electoral Officer (CEO), and responsible for the preparations of a special plans and procedures related to the electoral process then producing them all to the Board for the purpose of validation.
- b . The CEO should produce a weekly report including the GEO's activities which don't need the certification of the Board, but only to be well informed about.
- c .the CEO addresses the department of control and internal audit directly and informs the secretariat about that.
- d .The department of internal audit control got the right to ask information and data directly from departments and divisions of the national office and governorates' offices in matters related to their job precisely, and to inform the CEO about that.

**2. The organizational structure of the GEO:-**

- a .The CEO should produce his/her suggestions with all the details about the electoral administrative framework concerning applications, human resources and the salaries.
- b The suggestions above should be certified by the Board; otherwise the Board shouldn't release the financial resources for these suggestions.
- c All applications in the GEO and the secretariat should be under fair competition based on efficiency, with the women quota, in way the balance achieved in all the Iraqi components,
- d The Board certified the (Code of Conduct) and (Code of Discipline) related to the staff of the GEO.
- e The CEO is responsible for the disciplinary procedures against the Staff Members of the GEO.
- f Employee can appeal the decision of the head of the CEO in front of the Board after the refusal of his/her complaint after the investigations of the Board it may reject or approve the penalty.
- g If a member of the Board felt that the employee deserves to be punished or snubbed, he/she should inform the Chairperson of the electoral administration. In this case if the CEO believes that the employee does not deserve the punishment; he/she needed to bring a note to the BOC, which has the final decision in that, while cases which are belonging to the staff of the Secretariat; the Council deals with them directly.

**3. Electoral Work Plan:-**

- a . The CEO should produce a special work plan about election procedures to the BOC before at least (180) days of the periodic elections otherwise the Board will decide another appropriate period of time.
- b The work plan should include all the details of the electoral process, time limit, human strength, and the necessary budget.
- c . The Board certifies the work plan within 14 days, otherwise there would be a de facto adoption of the plan or be rejected partially or wholly, The CEO ought to amend the plan according to the Boards' instructions.
- d The Board should certify the special procedures before 14 days at least with the beginning of the electoral trainings otherwise there would be a de facto adoptions.
- e . Decisions of the board is Approved or rejected as well as the adjustment of the work plan must take place with the consent of five of the Boards members at least.

**4. Executions:-**

- a . Implementation of the plan will be applied by the CEO.



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- b . The CEO or one of his assistants (in case of his/her legitimate absence); produced a weekly, orally, and manual report on implementing the work plan.
  - c .The Board inquires about the Operational and Procedural procedures only from the CEO or one of his assistants in case of his/her absence.
  - d .The CEO produces the operational and final electoral report after 15 days from the date in which the electoral results are certified, and produces the financial report after 60 days of the certified date on the results of the elections, and then the board is asked to manage the external audit of the accounts of expenditure.
5. **financial Authorities** is used as explained below:-
- a .Up to 50,000,000(fifty million Dinars) or its equivalent to its exchange rate in Dollar according to the exchange price with approval of the CEO and his/her signature with two authorized persons from the GEO.
  - b .Expenditures More than 50,000,000(fifty million Dinars),and up to 350,000,000 Dinars or its equivalent to dollar exchange rate by the acceptance and signature of a used financial committee members of the BOC except the amount of the check related to salaries and polling staff wages, regardless of the amount.
  - c .More than 50,000,000(fifty million Dinars) or its equivalent to its exchange rate in Dollar, needs the approval of the Board and the signature of the financial committee on the checks.
  - d . Financial committee is composed of six authorized members of the BOC, even with the attendance of three members the, quorum achieved in all cases.
  - e . Signing checks requires the signatures of three authorized commissioners all together.

**Section twelve**

**(Cases of Termination of Membership)**

1. Membership of the BOC is terminated in the following cases:-
  - a Death.
  - b Resignation.
  - c Removal.
  - d If a member of the BOC is convicted of a dishonoring crime.
2. The Board member who will to resign shall send his/her proposal in this regard to the BOC by the chairperson.
3. The request for resignation shall be submitted for discussion in the first meeting held by the BOC where a decision is made about, according to the public interest.
4. The resignation shall come into effect thirty days after its submission directly to the chairperson or the secretariat office, unless he/she withdraws it within this period.

**Section Thirteen**

**(Sub-committees of the board)**

1. The Board shall form permanent or temporary sub-committees amongst its members on the condition of specifying their duties and specialization.
2. The Board will ask the sharing of other members from the employees, other than the members of the temporary sub-committees, to participate in all the jobs of these committees according to the needs.
3. Sub-committees will work under the direct supervision of the board, and then they raise the reports and implements all the instructions of the Board.
4. The permanent sub-committees shall not be dissolved except by a decision from the Board. Temporary sub-committees dissolved spontaneously and immediately after finishing their tasks entrusted to them by the Board.
5. The BOC decides the manner of the allowances and the emoluments which are paid to the members of these sub-committees to encourage them to achieve their tasks successfully.

**Section Fourteen**

**(Final Provisions)**

1. This regulation shall be approved with the majority of at least five of the Board members.
2. Any member of the Board could produce a suggestion of making adjustments on any material of this regulation or all of them.
3. It is prohibited to issue any amendment on the Items of the regulation (partly or wholly) without the approval of at least five of the Boards members.
4. This regulation shall be applied since the date of its certification by the BOC on 1/7/2007.

**Board of Commissioners**

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