

جمهورية العراق
المؤسسة العليا المستقلة للانتخابات
كۆمیسونی بالآی سه ربه خۆی هه لێژارد نه كان
The Independent High Electoral Commission

According to the authority which has been given to the Board of commissioners in the item (4), article (8) of the Independent High Electoral Commission's law No. (11), in the year 2007 and the law of (Agent and Political Entities), and regions' Elections No. (97); we decided issuing the following regulation:-

(Regulation)
(Accreditation of Political Entities)
No. 5, 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. **"Commission and IHEC"**:-means The Independent High (Supreme) Electoral Commission
2. **"The Qualified Voter"** is the person who got all the legal conditions to be qualified and conductance in voting.
3. **"National Office"**:- It is the central IHEC office of the Electoral Administrative in Baghdad.
4. **"Electoral Regional Office"** - It is the central IHEC office of the Electoral Administrative in Kurdistan Region.
5. **"Electoral Office of the Governorate"**:-It is the central IHEC office of the Electoral Administrative in the exact governorates.
6. **"Coalition"**:- Is a gathering of two Political Entities or more to produce a unified list of candidates in specified elections.
7. **"Chief of a Political Entity"**:- is the person who defined as the chief of the internal regulation (organization or a political party), or a person by his/her own when a political entity is a person.
8. **"Personal Image"**:- Any type of image or form expressing a human being.
9. **"Electoral Judicial Body"**-A body which consisted of three judges appointed by the court of appeals that looks in appealing the final decisions which they received from the BOC or from those which were harmed by the Board's decisions directly.

(2nd Section)
(Political Entities)

1. The law of agents and political entities had defined a (Political Entity) as.
 - a) An organization which included of the Political Party, which consisted of a qualified voters who join forces voluntary on the base of shared interests, thoughts, and point of views to achieve the goal of expressing their interests, power, and enable their agents to nominate themselves to a general post on the condition of getting the official accreditation to the political entity from the IHEC.
 - b) The person who intended to nominate by his/her own for elections on the condition that this person get the official accreditation as a Political Entity by IHEC.
2. The Political Entity is not allowed to name its nominators unless it is registered by IHEC.
3. For free competition in elections, political Entities got the right in forming a coalition to unify interests, and managing the electoral campaign for the nominators in the coalition.

(3rd Section)
(Accreditation of Political Entities)

1. IHEC set a period of time to receive requests of the Political Entities' accreditation; requests will not be received before or after this period.

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2. Any group or person got the right for the sake of competition to submit a request to IHEC to get the accreditation as a political entity. When a request is submitted, a sum of money should be deposited in order that the political entity will be accredited by IHEC. The political entity deposited (5.000.000) five million Iraqi dinars if he wished to be accredited by IHEC .And (25000.000) twenty five million Iraqi dinars for the group who wished to be accredited by IHEC.
3. If a financial penalty is imposed on an entity or a coalition due to a violation of an electoral law, electoral regulations, code of conduct, etc. . . .the financial penalty will be discounted from the imposed amount if it was enough to cover the fine amount otherwise the political entity must pay the rest of the amount.
4. If any financial penalties have not been imposed, then the entrusted sum will be back in whole after the elections, on the condition that the entity or the coalition got the needful votes to win a seat in any elections that he participated in, in addition to the accredited entities or coalitions which did not submitted their nominators' lists in the elections. If the political entity got fewer numbers of votes; the sum will be credited as a fund to the state's budget.
5. The Political Entity must submit a written petition using prepared sample made by IHEC for this purpose, the request could be submitted to the national office in Baghdad, the regional office in Kurdistan, or to the governorate electoral office.
6. The submission should include the following information:-
 - a) The full name of the Political Entity.
 - b) Name of the chief of the political entity or the single person and address, information to make contact with, and the signature.
 - c) A copy of the Code of Conduct signed by the political entity.
 - d) Depositing financial insurance.
 - e) Electronic and paper copy of the internal regulation which organizing the political entity's activities (except individuals); on condition that the technique should be taken into consideration in choosing heads and candidates on the base that this regulation should be available to each one of the public to take a look at.
 - f) Electronic and paper copy of the political entity's logo.
 - g) A list of qualified candidates no less than (500) voters including their names, dates and places of their born, addresses, and their signatures or seals with numbers and dates of their national certificates. Those must not sign for another political entity for the same purpose.
 - h) Name of the political entity's authorized representative, address, and means of communication, he/she considered as liaison with IHEC on the national, regional, and provincial level.
7. Accredited Political Entities of the both 30/1/2005 and 15/12/2005 elections; are exempted from provisions of article No (6), but to have the following points been arranged:-
 - a) Producing the previous number of accreditation.
 - b) Payment of insurance provided in article (2) of this section.
 - c) Signing on the Code of Conduct provided in article (9) of this section.
8. Provisions of article (7) are applied on the political entities who wished to keep the same name and logo and the chief of the political entity which accredited by IHEC in both the 30th of January and the 15th of December 2005 elections. The provisions of article (6) are applicable on the political entities who intended to change their names, logo, and head.
9. A political entity who requests accreditation must sign the Code of Conduct with the way decided by IHEC in which it declares the following:-
 - a) Do not have any connection with armed force, militias, or leftover military unit which has been defined in order (91) of the year 2004.
 - b) Do not have a direct or indirect financing from any armed force, militias, or leftover military unit.
 - c) Commitment of Iraqi laws and regulations, including provisions of public meetings, and prevented irritation of hatred and violence, frightened others, and support and use of terrorism.
 - d) Compliance with the regulations, rules, suggestions, procedures, and the Code of Conduct published from IHEC.

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10. Political Entity will be accredited by IHEC if the following conditions were approved:-
 - a) lack of substantial insufficiency or inaccuracy in the submission.
 - b)Name of a Political Entity and its logo should not be the same as the name and logo of a party, organization, assembly, existent movement, or a political Entity registered or under registration, otherwise priority will be for the previous registered entity.
 - c)The name of the political entity must not arise hatred and violence or violating the general regulation, mustn't contain any personal photo or symbols either military or religious.
11. If the submission lacked the conditions of accreditation, then IHEC will inform the political entity with its decision, the submission which is submitted from the side who submitted it could be amended or done on the condition that IHEC will deliver it within the specified period for the validation of the political entities.
12. IHEC will inform the political entity that IHEC accepted its submission by publishing it in the electronic web site of IHEC then hanging it on the bulletin board of the electoral office to which the submission was produced and also on the bulletin board of the electoral national office in Baghdad. In case of refusal, IHEC will inform the political entity about that by publishing the decision in the Electronic web site of IHEC and in three daily newspapers for three days at least and in both languages, Arabic and Kurdish.
13. Any of the political entities got the right to complaint to the BOC about any decision set by IHEC according to this regulation.
14. Any of the political entities got the right to appeal the Board's decision in front of the judicial body of elections within three days starting with the next date of publishing.
15. IHEC kept a special record of the political entities which are accredited on.
16. It is not allowed to amend accreditation's requests of the political entities after producing them to IHEC, unless it asked for these amendments for the sake of applying this regulation.
17. For participating in elections, the political entities offer a list of their nominators of these elections according to what is set in the regulation of nominators accreditation, and it is possible to offer these lists to the national office, or the regional electoral office, or the province electoral office, to study and audit them, then send them all to the national office to accredit on them.
18. The political entity will be accredited for the competition in any elections if IHEC finds, in addition to the certification requirements above, lists of candidates which are produced by the political entity meets the conditions provided in the regulation of the Candidates' accreditation.
19. The political entity is not allowed to withdraw from the competition after the period of certification on candidates' lists is over.

4th Section
(Coalition of the Political Entities)

1. It is allowed for two or more political entities to form a coalition to produce a shared list of candidates according to a form made by IHEC for this purpose.
2. Every political entity got the right to participate in the different coalitions. Or the political entity could submit, by its self, list of candidates for participating in a particular election.
3. The political entity is not allowed, in a particular election, to produce a sole candidates list and at the same time it produced candidates within a coalition, as well it is not allowed to participate in more than one coalition at the same elections.
4. All requests related to the coalition certification are produced to the national Office of IHECI. It is also possible to produce them to the regional electoral office and the electoral office of the province. A period of time will be set by IHEC to receive requests within this period to certificate the coalition, any requests after or before this period will be refused.
5. When Political entities form coalitions, they have to submit a written application according to a form prepared by IHEC.
6. The application should include the following information:-
 - a Full name of the coalition.
 - b Number of allied political entities.
 - c Electronic and paper version of the coalition's logo.
 - d Names of persons who had been appointed by the political entity as representatives in IHEC.

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- e The submission must be signed by the allied political entities' heads and it should be contained of copies of the Code of Conduct according to the Article (9) of the 3rd section of this regulation.
7. The coalition considered certified by IHEC if the following conditions provided:-
- a No shortage of essential or inaccuracy in the application.
- b The political entity's name or symbol should not be (according to the satisfaction of IHEC) alike to any other political party, association, organization, existing movement, other coalition, previously registered or under registration.
- c The name and logo of a political logo shouldn't provoke hatred, violence, or violation to the general regulation and it mustn't contain a personal photo or either political or religious symbols.
8. The political entity isn't allowed to withdraw from a coalition after the end of the specified period which is set for producing the political entities' or coalition's candidates' lists.
9. If political entity withdraws from a coalition before the end of the specified period to produce the political entities' or the coalition's candidates' lists, then the rest political entities within the coalition got the right to produce a new list, and the withdrawal entity got the right to produce a new list. If a coalition formed of two entities then it was broken up, the two separated entities got the right to produce two separated lists.
10. The coalition will be certified by IHEC to compete in an election, if the above certified conditions were present.
11. In the end of the limited period set by IHEC to produce candidates' lists an appointment will be set for balloting on certified coalitions, political entities, and on their candidates' lists to get the number of balloting which will be fixed for the political entity or the coalition in the balloting paper.
12. All the coalitions which have been certified by IHEC in the previous elections will be broken up. And if these coalitions wished to be certified on again or producing a list of their candidates, they should submit a new petition to IHEC.
13. a- It is not allowed to register a coalition from political entities in the name of a broken up coalition which took part in the previous elections without the entities who registered in it.
b- In case of producing coalition registration's submission by the use of its previous name and which is registered in the previous elections, then it should be submitted by the absolute majority (a half + one) at least for the entities which formed the coalition.

5th Section

(Decisions of IHEC)

IHEC will set techniques to apply its regulations with regard to any political entity or coalition might include financial fines or withdraw the certification of the political entity or the coalition.

(4th Section)

(Date of enforceability)

This Regulation shall enter into force from the date of its ratification by the Board of Commissioners on 26/ 3/ 2008.

Board of Commissioners

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