



IHEC Regulation No.15

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 coalition provisional Authority dissolved order no.(97) of the year 2004 .we decided issuing the following regulation:-

Regulation no. (15)

(Certification of political Entities and Coalitions)

For the Elections of the Iraqi Council of representatives of the year 2010

(Preamble)

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

Part 1

(Terminology)

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



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1. **"Commission"**:-means The Independent High 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. **"Political Entity"**:- Is:-
 - A. An organization including the political party which is composed of qualified voters voluntary joined on the basis of shared ideas, interests and benefits to express their needs and enable their representatives to nominate themselves to a general post on the condition that the PE should obtain the official certification as a PE by IHEC.
 - B. A person who intended to nominate him/herself individually for elections on condition that he/she will obtain the official certification as a political entity by IHEC.
7. **"Coalition"**:- Is a gathering of two Political Entities or more to produce a unified list of candidates in specified elections.
8. **"Chief of a Political Entity"**:- is the person who is defined as the chief of the internal system of the entity. Or as a person by his/her own when a political entity is a person.
9. **"The Previous Elections"**:-means the 2005 national assembly Elections, 2005 Iraqi Council Representatives' Elections, and the 2009 Iraqi Kurdistan Parliament Elections.
10. **"Electoral Judicial Body"**: -A body which consisted of three judges appointed by the court of appeals that looks in appealing on the final decisions of the BoC or those submitted from those affected by the decisions of the Board.



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Part 2

(Certification of Political Entities)

1. IHEC set a period of time to receive submissions of the certifications of the Political Entities; requests will not be received before or after this period.
2. Any group or person got the right to compete in elections by submitting a petition to IHEC to get the certification by IHEC as a political entity. When submitting a request, financial credits should be deposit for (5.000.000) five million Iraqi Dinars for the individual who wish to be certified on as a PE. In addition (25000.000) twenty five million Iraqi Dinars, for the group who wish to be accredited as a PE by IHEC.
3. If the PE or the Coalition were imposed to a financial fine as a result to the violation of any electoral law, electoral regulations, code of conduct...etc.; a financial fine will be discounted from the imposed sum of money if it was enough to cover the amount of, fine otherwise the PE 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 at least in these elections, in addition to the accredited entities or coalitions which did not submit their nominators' lists. If the PE or the coalition got less than the above ratio, the sum will be credited as a fund to the state's budget.
5. The Political Entity must submit a petition in writing using a sample made by IHEC for this purpose; the request could be submitted to the national office in Baghdad, or the regional electoral office, or to the governorate electoral office.
6. The submission should include the following information:-
 - a) A full name of the Political Entity.
 - b) A name of the chief of the political entity or the single person and address, information to make contact with, and his signature.
 - c) A copy of the Code of Conduct signed by the political entity.



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- d) Depositing financial insurance.
 - e) An electronic and paper copy of the internal regulation which organizing the political entity's activities (except individual PE); on condition that the technique in choosing heads, candidates, secretariat, commission, or the political office and to point to the resources of financing the party and this regulation is available to the people to review it.
 - f) Electronic and in writing 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, as a responsible liaison with IHEC on the national, regional, and provincial level.
 - i) Political Entities should produce an E-mail address for the sake of informing and addressing.
 - j) Curriculum Vitae of the chief o the political entity and the members of the side got the authority of changing the chief of the entity ands according to the internal regulation.
7. PE s that had been Certified on in the previous elections, got the right to keep the same logo and name in the case of not changing name, logo, or chief of the entity on the condition that they should provide the necessary documents of certification.
8. A political entity who requests certification 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 that 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.



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- 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.
9. Political Entity will be accredited by IHEC if the following conditions were approved:-
- a) Lack of substantial deficiency where the submission should meet the conditions.
 - b) Name of a Political Entity and its logo should not be similar to 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, must not contain any personal photo or symbols either military or religious.
10. If the submission lacked the conditions of certification, the PE will be informed by IHEC about its decision, by then PE should amend or finish the submission, and deliver it within a specified period to certify on the PE s.
11. IHEC will inform the PE with its agreement on the submission by publishing it on the electronic web site of IHEC in addition to label it on the advertising board of the electoral office (which received the petition) and in the advertising board the national office in Baghdad. In case of refusing IHEC will inform the PE s of the refusal by publishing its decision in the electronic web site of IHEC and in a three daily newspapers for at least (three days) and in both languages English and Arabic.
12. Any of the PE s got the right to complain to the BOC about any decision made by IHEC according to this regulation.



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13. Any of the PE s got the right to appeal on the Board's decision in front of the electoral judicial body within three days starting with the next date of publishing.
14. IHEC kept a special record of the certified political entities.
15. Accreditation's requests submitted by PE s to IHEC is not allowed to be amended after producing them to IHEC, unless IHEC requests these amendments for applying this regulation.
16. The political entity is not allowed to withdraw from the competition at the end of the certification period on candidates' lists.
17. PE s Re not allowed to nominate it candidates unless it is registered and certified on by IHEC as a PE.
18. Political Entities are entitled to form a coalition to collect interests and to do the electoral campaign for candidates in the coalition.
19. All Political Entities including certified individuals are equal before the law.

Part 3

(Coalition of the Political Entities)

1. Two or more political entities are allowed to form a coalition to produce a shared list of candidates according to a form made by IHEC for this purpose.
2. The political entity is not allowed, in particular elections, to produce an individual list of candidates and at the same time it submitting candidates within a coalition. It is not allowed to participate in more than one coalition at the same elections.
3. 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 in case that the electoral system is a single electoral district.
4. The Political Entity must submit a petition in writing using prepared sample made by IHEC for this purpose.



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5. The submission should include the following information:-
 - a. A full name of the Political Entity.
 - b. Number of the united political entities.
 - c. An electronic and in written copy of the Code of Conduct signed by the political entity as representatives in IHEC on the regional, national, or governmental level.
 - d. Name of the persons appointed by the political entity as representatives in IHEC on the national, regional, and provincial level.
 - e. The petition should be signed by the heads of all the united political entities. It should contain copies of the code of conduct as in the Item (c) of the sixth Article of the second section of this regulation.
6. Political Entity will be certified by IHEC if the following conditions were approved:-
 - a.) lack of substantial insufficiency and the submission should meet the conditions.
 - b.)Name of a Political Entity and its logo should not be the same as the name and logo of a political entity or another coalition previously registered or in registration , also it is not allowed to give the name of one of the entities of the coalition to the coalition it self.
 - 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.
7. The political entity is not allowed to withdraw from the coalition at the end of certification period on candidates' lists or coalitions.
8. If a 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 of two



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- entities was broken up, the two separated entities got the right to produce two separated lists.
9. The coalition will be certified by IHEC to compete in an election, if it meets the above conditions.
 10. After the certification on the PE s, coalitions, and lists of candidates , a date of polling will be specified to get number of polling that proved the existence of the PE or the coalition in the polling paper.
 11. 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.
 12. **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 a submission of registering a coalition which participated 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.

Part 4

(Date of enforceability)

This Regulation shall enter into force from the date of its ratification by the Board of Commissioners on 2/ 8/ 2009.

Board of Commissioners



جمهورية العراق

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

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