



IHEC Regulation No.17

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, we decided issuing the following regulation:-

(candidates Certification)

No. (17) For the year 2009

(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.

Section 1

(Terminology)

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

1. **"Commission"**:-means The Independent High Electoral Commission.
2. **"Election Law"**:- Election Law No. 16 of 2005, as amended.
3. **"The political entity"**:- It is an organization, including the political party or the person who intends to stand alone for the elections on the condition that they obtain certification of a political entity by the Commission.



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4. **"Individual list"**:- a list in which the political entity or the individual got the right to nominate elections on the condition that they are registered and certified by IHEC.
5. **"Precinct"**:- each province according to the administrative and official borders to which number of seats were assigned in accordance with the law.
6. **"Candidate"**: who his nomination was accepted for the membership of the Iraqi Council of Representatives 2010.
7. **"Qualified Voter"**:-Is a person who meets the legal requirements for eligibility to vote in the elections.
8. **"National Office"**: Is the original Office of IHEC in Baghdad.
9. **"Coalition "**:- Is the unity of two political entities or more for providing a consolidated list of candidates in specific elections.
10. **"Component Seats"**:- Are seats allocated by the Electoral law for the components (Christian, Alaezidians, Sabians, Mandaeans and Shabak).

Section2 (Applications)

- The provisions of this regulation will be applied on the candidates for the election of the Iraqi Council of Representatives 2010, based on the provisions of the electoral law.

Part 3 (Political entities and candidates)

1. It is not permissible for a political entities not approved by the Commission to submit lists of candidates for elections.



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2. Two political entities or more could form a coalition to share the interests and produce a list of their nominators and to arrange media campaign for nominators included in the coalition.
3. Political entities present lists of candidates to contest the elections in one electoral district or more, at the same time forming a coalition with another political entity to provide a list of candidates to constituencies other than in which the political entity on its own.
4. Political entities and coalitions wishing to contest the elections in one precinct or more provide a list of candidates to contest the elections in each precinct.

Section 4 (Component Lists)

1. According to the electoral law, the number of compensatory seats for the components as follows:
 - A. **Christian component:** - five seats are distributed to the governorates of Baghdad, Nineveh, Kirkuk, Dohuk and Erbil. Iraq will be considered as one electoral district for the Christian Component
 - B. **Aezidian component:** - one seat in the province of Nineveh.
 - C. **The Serbian Mandaean component:** - one seat in the province of Baghdad.
 - D. **Shabak component:** - one seat in the province of Nineveh.
2. The type of component that the political entity wants to compete for seats for the entities competing for the components seats; must be specified.
3. Lists of candidates will be provided during the period specified by the Commission.



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4. Lists of candidates in the province will be provided in the province which a political entity or coalition wants to run elections in it.
5. It is not allowed to repeat the names of candidates in the lists of candidates of different entities and coalitions.
6. Seats of the Christian component will be distributed on the base of one seat for the first winner from each governorate of the mentioned governorates which has been mentioned in Item 1/A of this section.
7. The political entities and coalitions that compete on the Christian component seats; are not allowed to produce candidate lists for the GS (General Seats).

Section 5 (Lists of candidates)

1. In the lists of candidates, it is required as follows:
 - A. Filling the list of candidates submitted to the commission electronically.
 - B. Not exceeding the number of candidates in the list double the number of seats allocated to the constituency and at least three candidates, excluding a political entity, the individual.
 - C. The proportion of women is not less than 25% in the list.
 - D. Entities components should provide a list of two candidates for each seat from the components seats.
2. May not be for a political entity or coalition, to withdraw or change lists of candidates after they submit them to the commission, lists of candidates submitted considered final, unless they are requested by the commission for the purpose of making the list meets the requirements of the regulation. In this case, a new list must be submitted in accordance with the



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changes required before the expiry of the period specified by the Commission for its approval of the candidates. Political entities must make sure from the lists before their submission.

Part 6 **(Eligibility of the candidate)**

1. A candidate should be a full eligible Iraqi, as well as the following conditions:-
 - A. Should be at least at the age of thirty years.
 - B. Should not be covered by the law of accountability and justice.
 - C. Has not illegally enriched at the expense of the homeland and public money.
 - D. Not convicted of a crime involving moral turpitude, and should be known by the good curriculum.
 - E. To be the holder of a high school diploma or equivalent as a minimum.
 - F. Should not be a member of the armed forces when nominating.
2. Candidates are subject to the approval of the Commission.

Part 7 **(Ratification lists of candidates)**

1. The IHEC determines a period of time in which to receive requests for ratification of the candidate lists of political entities and coalitions, and any requests for ratification will not be accepted before or after this period.
2. The application must be produced in accordance with forms prepared by IHEC.

Forms include the following information:



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- A. The name of a political entity or coalition, the authentication number, the name of an authorized representative and the means to contact him.
 - B. Name of the constituency in which the list wants to run the elections in.
 - C. Full Name of the candidate, gender, place and date of birth, full name of the mother and the three academic achievements for each candidate and his/her signature.
 - D. Commitment from each candidate according to the formula established by the Commission.
3. any candidate will Lose the eligibility of nomination if it is found that he had come with information contrary to truth then he will bear the legal consequences.
 4. If IHEC refused the list completely, the political entity or coalition will be informed with the decision of rejection and the name of a political entity or coalition will not appear on the ballot paper.
 5. If the Commission refused any individual names from a specific list, it would omit them and informs a political entity or coalition with the decision of rejection and deletion. The remaining list that meets conditions will be final containing names of candidates of a political entity or coalition.
 6. Number of candidates in the list should not exceed the double number of seats allocated to each electoral district; otherwise, IHEC will delete what exceeded the upper limit of the candidates' number, then informing the political entity with the decision of deletion.
 7. If any candidate was disqualified after the nomination period for compelling reasons such as death or disability, IHEC will delete the name of the candidate, and keep the remaining list of eligible conditions as final list of candidates by a political entity



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- or coalition, unless IHEC asked to amend the list to make it under the conditions set forth in the regulations and procedures.
8. If the candidate enlisted his/her name in more than one list or constituency, or if the entity contributed in that, the Commission takes the necessary action against a political entity or candidate, including the deletion of the name of the candidate.
 9. No political entity or coalition is allowed to withdraw from the elections in any constituency after the time limit for authentication to the candidates by the Commission.
 10. Political entities considered retiring if they do not provide lists of candidates during the period specified for submission.
 11. Commission got the right to publish a list of candidates no later than (30) days before the polling day.
 12. Political entities and their candidates got the right to appeal the decision of the Commission to reject the ratification of the lists of candidates to the judiciary commission for the elections.

Section 8

(Decisions of the commission)

- The commission establishes mechanisms to apply regulations to any political entity or coalition may include the consideration of candidates as unqualified or withdraw the ratification of the political entity or coalition.

Section 9

(Effectiveness of the regulation)

This regulation shall enter into force since the date of its ratification by the Board of Commissioners in /2009.

Board of Commissioners