Pursuant to the authority granted to the Board of Commissioners in Article 4, Paragraph 8, of the Independent High Electoral Commission (IHEC) amended Law 11 (2007), and Governorate, Districts and Sub-Districts Council Elections amended Law 36 (2008), the IHEC has issued the following regulation:

Regulation no. (12) 2013
(Seat Allocation)

For the Governorate Council Elections

The Independent High Electoral Commission in Iraq has been established according to amended Law 11 (2007), to be the only electoral authority in Iraq. The Commission is professional, independent, and neutral. It enjoys juridical personality and is subject to the supervision of the Council of Representatives.

Part 1
(Terminology)

The following terms mean:


3. “Constituency”: any specific area for which seats are allocated according to the provisions of the GCE Law 36 (2008).

4. “Valid Votes”: the votes that are valid to be counted.

5. “General Seats”: the seats defined in Article 24 of Chapter 5 of the GCE amended Law 36 (2008), excluding seats allocated for components.

6. "Seats allocated to components": seats inside the Governorate Council allocated to components that are mentioned in Article 52 of the GCE amended Law 36 (2008).

7. "Component List": a list of political entities competing in the constituency for seats allocated to components.
8. "**Individual List**": a political entity's list of one candidate.

9. “**Open List**”: the list containing the announced names of candidates, on the condition that this shouldn’t exceed twice the numbers of seats allocated for this constituency.

10. "**Exhausted or depleted list**"  A list which wins a number of seats equal to or more than the number of its candidates.

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### Part 2

**(Number of Governorate Councils Seats)**

Numbers of the governorate council's seats are determined according to the following:

1. The governorate council consists of 25 seats plus one seat for each 200,000 people, for any population of more than 500,000 in accordance with Article 24 of the GCE amended Law 36 (2008).

2. Based on the latest statistics from the Central Bureau of Statistics, the number of seats in the governorate councils is as below including the seats allocated to the components:

<table>
<thead>
<tr>
<th>#</th>
<th>Governorate</th>
<th>Populations</th>
<th>Total seats</th>
<th>Components seats including total seats</th>
<th>Women Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Baghdad</td>
<td>7,255,278</td>
<td>58</td>
<td>One seat each for Christians, Mandaens, Sabians, Falli Kurds and Turkman.</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>Nineveh</td>
<td>3,353,875</td>
<td>39</td>
<td>One seat each for Christians, Yazidis and Shabaks.</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>Basra</td>
<td>2,601,790</td>
<td>35</td>
<td>One seat for Christians.</td>
<td>9</td>
</tr>
<tr>
<td>4</td>
<td>Babil</td>
<td>1,864,124</td>
<td>31</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>5</td>
<td>Dhiqar</td>
<td>1,883,160</td>
<td>31</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>Anbar</td>
<td>1,598,822</td>
<td>30</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>Najaf</td>
<td>1,319,608</td>
<td>29</td>
<td></td>
<td>8</td>
</tr>
</tbody>
</table>
Part 3
(Seats Distribution)

The general seats are to be distributed as follows:

Step one (allocation of seats to the lists)

1. Counting the valid votes for each list participating in each constituency.
2. The political entities lists which are competing in one constituency are arranged according to the number of votes gained, from height to lowest.
3. The valid votes gained by each list are divided by odd numbers (1,3,5,7,9….etc) until a result is reached that equals the number of specified seats for the Constituency.
4. A seat is allocated for the list with the highest division quotient, the second seat is allocated to the second highest division result and so forth until all seats in the constituency are allocated.
5. If two lists or more get an equal results that qualify them to win a seat and their sequence was the last two in the constituency, the IHEC will hold a lottery to specify the winner.
6. In case of one list winning a number of seats that exceeds the number of candidates in the list, the remaining seats are going allocated to the remaining lists in descending order in accordance with the Sainte-Lagué method.
7. If a candidate dies or loses eligibility after polling and before the announcement of the results, then his/her votes will be relayed to the list that the candidate belongs to.

**Step two (distributing seats to candidates)**

1. The names of the candidates inside each open list will be re-arranged according to the number of votes won by each candidate from the highest to the lowest.
2. The list seats are awarded to the candidates according to Paragraph 1 of this section above.
3. If two or more candidates get an equal number of votes then seats are going to be allocated according to the candidates’ sequence numbers in their list.

**Step three (Counting Women Quota)**

If a woman didn’t get at least 25 percent of the seats of constituency under step two, what follows should be considered:

1. One of the seats awarded to the list will be allocated to woman at the end of every three winners regardless of the number of male winners.

2. If the percentage of women in the list doesn’t attain the quota according to paragraph 1 above, the following steps will be followed:
   
a) The women’s quota of each list is going to be done through dividing the number of allocated seats by 3 and neglecting fractions.
   
b) The remaining number of women’s seats of each winning list is calculated by deducting the number of women’s quota (according to paragraph 1 of this part above) from the women’s quota for the list.
   
c) A seat is allocated for women after each two male winners, regardless of the number of votes obtained by men.
   
d) If the above procedures do not achieve the women’s quota, then the lists that won one seat for each will fill
that seat with a woman starting from the lowest to the highest until achieving the quota.
e) The male candidate with the majority of votes in the list that got one seat will be replaced by the female candidate with the highest number of votes among women from the same list.
f) If the above procedure does not achieve the required quota, then a seat of the each list that won two seats will be allocated for women in accordance with the specified steps in this regulation.

(Seats allocated for components)

1. The component's seat will be allocated for the component list that won the highest number of votes.
2. The seat that was won by the list is going to be allocated to the candidate that won the highest number of votes within the list.

Part 4
(Losing Membership)

1. If a governorate council member loses membership for any reason, then the candidate who comes after the number of votes in his/her list is going to be replaced. It is not obligatory to replace a woman member with a woman unless the replacement is going to affect the women's quota in the governorate council.
2. If the member who lost his membership was on an individual list, then a supplemental election will be held within the same constituency.
3. If a component's seat member losses membership, then paragraph 1 of this part shall be applied.
Part 5
(Validity of Regulation)

This Regulation is considered valid from the date of its ratification by the BoC on 12 March 2013.

Board of Commissioners