

**The Electoral Law of the Iraqi Kurdistan National Assembly (KNA)**

According to the beneficial needs of the Kurdish People of Iraq, the political leadership of Iraqi Kurdistan issued the following law:

**Law Number (1) for the year of 1992  
The Iraqi Kurdistan National Assembly (KNA)**

**Chapter One**

**The formation of the assembly**

**Article One:**

The Iraqi Kurdistan National Assembly (KNA) constitutes of members that are no less than (100) members, meaning one representative for every 30 thousand people.

**Article Two:**

Elections take place through secret voting.

**Article Three:**

The member of the assembly represents the people of Iraqi Kurdistan.

**Article Four:**

1. It is prohibited to combine between the membership of the assembly and a general occupation, and that the employee is considered resigned from the day he gives oath in front of the assembly.
2. It is prohibited to combine between the membership of this assembly and the other elected assemblies.
3. It is prohibited for heads of administrative units and the officers of the internal security forces to nominate themselves as members of the assembly unless they resign from their posts.
4. It is prohibited for the member of the assembly to have contracts with the government on his own or through someone else during his membership, and he does not have the right to use his membership for personal benefit.

**Article Five:**

All members of the assembly must be totally committed to this.

**Chapter Two**

**Electing the Assembly**

**Section One**

**Electoral Commissions**

**Article Six:**

Establishing a higher commission by a resolution from the Kurdistan front to supervise the elections in Iraqi Kurdistan which will be lead by a first or second grade judge and the membership of the attorney general in the appellate or his deputy, in addition to the representatives of the front and a representative of the administration, that has the following responsibilities:

1. Specifying the electoral areas,
2. Establishing supervisory committees for the electoral areas to supervise elections,
3. Issuing regulations that simplify the electoral process and to assign the time and manner of electing the chairmen and members of the electoral committees.

**Article Seven:**

Establishing committees for the electoral area lead by a judge and representatives for the front and administrates, which will establish the committees for the electoral centres.

**Article Eight:**

The committee of the electoral centre is made up of a chairman judge or attorney general or a juror and a representative of each electoral roster.

**Section Two  
Electoral Area**

**Article Nine:**

Iraqi Kurdistan is divided into electoral areas and no less than four areas.

**Article Ten:**

Each electoral area is divided into several electoral centres which are determined by a memorandum from the area's committee.

**Article Eleven:**

Supplementary elections for assembly membership are conducted according to the regulations stated in this law in Iraqi Kurdistan areas where it is difficult to conduct elections at the moment.

**Section Three  
Time of Elections**

**Article Twelve:**

The time of the elections is determined by a decision from the Kurdish front and it will be published in the media for the public before the determined time of elections by no less than a month.

**Article Thirteen:**

Voting takes place on one day in all parts of Iraqi Kurdistan.

**Article Fourteen:**

When the time limit of the assembly is up or the assembly is dismantled, a resolution will be put by the chief executive within fifteen days of the end of that limit or dismantlement which will include the determined time for the elections of the new assembly in accordance to the regulations in article twelve of this law.

**Section Four**

**Voter's rosters**

**Article Fifteen:**

Each electoral area must have rosters that contain the names of voters according to its electoral centres and these rosters must be arranged alphabetically and must mention their occupations, addresses, date and place of birth which will be sent in many copies to the area's committee, and if that is not possible then the higher commission must find another way to accomplish this goal.

**Article Sixteen:**

The area committee is responsible for distributing the rosters to its centres so that they will be announced to the public on special boards put for that reason at least 15 days before the determined voting day after stamping it with the area committee stamp and the fixation of the announcement date, taking into consideration what was mentioned in article 15.

**Article Seventeen:**

The Civil identification certificate issuance centre will provide each person who is eighteen years old or over with a voter's card according to a process put by the higher commission that regulates its form and characteristics through a document and the voter must provide proof of identification when voting.

**Article Eighteen:**

1. Anyone who is eligible to vote but was not listed in the voter's register can request adding his name, and any voter can request adding any person's name that was not listed in VR or was deleted without the right to do so, within 10 days of announcing voter's register.
2. The request will be submitted to the area's committee so it can give a verdict on it within three days of submitting the request and this verdict will be final.

**Article Nineteen:**

Any citizen from Iraqi Kurdistan, male or female, can be a voter or a candidate if they meet the conditions mentioned in this law.

**Article Twenty:**

The voter must be a citizen of Iraqi Kurdistan and has completed eighteen years of age.

**Article Twenty One:**

Candidates for assembly membership must be:

1. A citizen and living in Iraqi Kurdistan.
2. Fully eligible and has reached thirty years of age.
3. Must be able to read and write.
4. Must not be convicted of any crime concerning general behavior and integrity.
5. Must not be convicted or imprisoned because of murder or theft.
6. Must not have participated in the crimes that were planned and executed by the suppressive authorities in Kurdistan.

**Section six  
Nomination**

**Article Twenty Two:**

1. Every group or an ethnic minority group (Turkmen, Arab, Ashore or others) have the right to forward its own roster that includes the names of their nominees for the Iraqi Kurdistan region.
2. The rosters will be submitted within ten days of the announcement of the elections, to the chairman of the higher commission with the needed documents that are mentioned in article twenty one of this law.

**Article Twenty Three:**

1. The higher commission must adjudicate on the request within twenty four hours of submitting the request, and it will inform the candidate and the list representative of its decision within two days.
2. The nominee can appeal the higher commission's decision in the Kurdish appellate court within two days of being informed of the decision.
3. The appellate court gives its final verdict concerning the appeal within two days.
4. The concerned entities are considered informed of the decisions mentioned above as from the announcement date on the special board of the appropriate authority.

5. The higher commission announces the roster of nominees through media, and will be displayed on a special board made for this purpose, which is placed in each Polling Centre within the electoral area at least twelve days before election day.

### **Section seven Electoral propaganda**

#### **Article Twenty Four:**

Electoral publicity is free within the limits of the law, general systems and ethics and that the Kurdish front must provide equal opportunity between the competing rosters.

#### **Article Twenty Five:**

Electoral propaganda starts the next day of the announcement of the rosters of nominee and ends forty eight hours before the start of the voting process.

### **Section eight Voting**

#### **Article Twenty Six:**

The chairman of the electoral centre committee and its members with the exception of the judges and the attorney generals take an oath before performing their duties for the area's committee and that the oath should be as follows:

(I swear by the holy God to do my job with truthfulness sincerity and neutrality)

#### **Article Twenty Seven:**

The higher commission gives out instructions that specify the form and size of the ballot boxes and the way they are opened and closed.

#### **Article Twenty Eight:**

The area committee will print out the voting cards and prepare the boxes according to the regulations of the higher commission.

#### **Article Twenty Nine:**

1. Choosing one of the rosters must be done by writing on the voting cards, and that the characteristics of the card and the way it is fitted is determined by a memorandum issued by the higher commission.
2. Voters that cannot read or write can get help from someone else to help them fill out a voting card.
3. Substitution is not allowed in voting.

**Article Thirty:**

The committee's chairman of the electoral centre is responsible for maintaining order in his centre and that he has the right to take any suitable action to ensure the continuation of the voting procedures and that internal security forces and any armed personnel are not allowed to enter the voting centres but can enter upon a request from the chairman of the committee.

**Article Thirty One:**

The central committee gives a verdict for every complaint forwarded to it regarding the costing procedures which will be fixed in a special journal.

**Article Thirty Two:**

The voting process starts at eight in the morning and ends at eight in the evening and that the higher commission can set other times that do not exceed the specified voting hours.

**Article Thirty Three:**

When the specified voting time is up the centre's chairman of the committee announces the end of the voting process and then he puts that down in the voting journal then the boxes are opened and the ballots are openly counted with the presence of the representatives of the competing rosters.

**Article Thirty Four:**

The following voting cards are considered invalid:

1. The voting card that does not have the stamp of the centre's committee.
2. The voting card that does not have a sign indicating to one of the competing rosters or that causes contradiction in choosing one of the rosters.

**Article Thirty Five:**

1. The centre's committee prepares and signs statements regarding the voting results which will be placed inside an enclosed envelope and stamped by its stamp and then put away at the area's committee.
2. The area's committee prepares a signed statement with its signature and stamp and then put at the higher commission after collecting the results and documents from the centres.

**Article Thirty Six:**

The total amount of votes is divided on the number of seats to obtain the voting average.

1. The votes obtained by each roster is divided on the voting average to calculate the number of seats won by the intended roster while taking into consideration what is mentioned in the two points below.
2. Any roster that did not have 7% vote or more will not be represented in the council and its votes will be distributed among the winning rosters according to their percentages.
3. The vacant seats are given to the rosters that have the biggest remainders successively.

**Article Thirty Seven:**

1. The higher commission will announce the percentage each roster got and the number of seats awarded.
2. The entity of the winning roster will have the right to choose the winners between their candidates by following one of these methods:
  - A- in order,
  - B- selectively,
  - C- by lot.
3. The higher commission announces the names of the winners that will be members of the Iraqi Kurdistan rational assembly.

**Article Thirty Eight:**

The higher commission has the authority to the annulment of the votes in any voting centre if there was proof of fraud or deception that can affect the outcome of the elections.

**Chapter three  
Membership in the assembly**

**Section one  
Immunity and incentives**

**Article Thirty Nine:**

The member is not asked about his personal point of view or any facts that he may state during his work in the council.

**Article Forty:**

1. It is not permitted to pursuer or detain any of the members because of a crime during session periods without the approval of the assembly with the exception of being caught while performing a criminal act.
2. It is not permitted to pursue or detain any of the members because of a crime not during session without the approval of the chairman of the assembly with the exception of being caught while performing a criminal act.

**Article Forty One:**

The chairman of the assembly his deputy the secretary and members receive monthly incentives which are determined by the assembly.

**Article Forty Two:**

1. The member's service in the assembly is accounted for in allowances promotion and retirement.
2. If one of the assembly members deceases because of serving the assembly or because of working in it then a pension will be awarded for the family of the deceased which will be determined by the assembly.

**Section two**  
**End of membership**

**Article Forty Three:**

Membership in the assembly ends in one of the following circumstances:

1. The assembly has reached the end of its term or is dismantled.
2. The resignation of a member and is approved from the date it is accepted by the majority of the assembly.
3. The absence of one of the conditions to nominate for the assembly have the assembly gives a decision by the majority of three quarters of the attendees.
4. The absence of a member for three centimes sessions with no suitable justifications.
5. The decease of a member.

**Article Forty Four:**

In case any seat becomes vacant, another candidate from the same list can replace the previous candidate, he will be assigned by the list stakeholders according to paragraph (2) of article thirty seven of this law

**Chapter four**  
**Work procedures in the assembly**

**Article Forty Five:**

The assembly is held in Erbil and it is possible to hold it anywhere else chosen by the assembly – if needed.

**Article Forty Six:** The council holds its first session at 10 o'clock of the tenth day of announcing the voting results.

**Article Forty Seven:**

The assembly holds its first session which will be headed by the eldest members and then the members will take the following vow:

(I swear by the holy God to safeguard the unity of the people and land of Iraqi Kurdistan and its higher interest)

**Article Forty Eight:**

The assembly votes in its first session and through secret ballots, a chairman, a deputy and a secretary and they must have the majority votes of the assembly members.

**Article Forty Nine:**

1. The assembly determines in its first session the dates for holding its meetings which should not be less than twice a year.

2. The chairman of the assembly or a quarter of its members can call for the assembly to meet in a special session and that they will discuss that specific matter in that session.
3. The chairman of the assembly can call for a meeting in a special session according to a request from the chairman of the executive authority when necessary.

**Article Fifty:**

1. The assembly session is illegal unless the majority of members attend the session and that the assembly makes its decisions with the total majority of the attendees which is different from a special majority, and when the opinions are equal the chairman has the right to give a vote to one side to outweigh another.
2. Voting takes place on legislating laws subject after subject.

**Article Fifty One:**

The assembly's period is three years that starts from the first session and ends with the last session on the third year.

**Article Fifty Two:**

The assembly's sessions are public and can be secret upon a request from the chairman of the assembly or a request from not less than a quarter of its members and the approval of the assembly with the majority of the attendees.

**Article Fifty Three:**

The executive authority of the assembly or ten of the members can suggest legislating laws, and that no law legislation can be discussed before being looked at by the specialized committee and every legislation that is denied by the assembly will not be forwarded to the assembly during the same session.

**Article Fifty Four:**

1. Every member of the assembly can ask questions according to their internal system to the executive authority members regarding the subjects that are within their duties and authority and that they must answer the questions within seven days of being informed of them and discussing the issues of these questions in the assembly is done when needed.
2. Quarter of the number of the assembly members can forward a justified request to have a vote of no confidence on the executive authority or on one of its members, and that the assembly will not discuss this request until seven days have passed on its submission and then they will vote on it after two days of discussing the matter.
3. If the assembly decides to have a vote of no confidence on the executive authority or its chairman then the executive authority must submit its resignation immediately.

**Article Fifty Five:**

The chairman of the assembly or his deputy will take charge of keeping order in the assembly.

## **Duties and authorities of the assembly**

### **Article Fifty Six:**

The assembly practices the following duties and authorities

1. Legislating laws.
2. Making agreements and resolution concerning decisive issues for the people of Iraqi Kurdistan.
3. Designating a chairman for the executive authority who has the authority to chose the members of the executive authority from the members of the assembly or others.
4. Awarding confidence or taking it away from the executive authority.
5. Assigning a general budget and development strategies.
6. Overlooking on the work of the executive authority.
7. Establishing commences to investigate any aspects that need to be investigated.
8. Laying the internal system specifying its staff putting its budget and employing employees.
9. Establishing fulltime and par time committees from its members in accordance to the internal system.
10. Putting regulations for accusing and prosecuting its members in causes where they dishonor the oath they took.
11. Giving verdicts in matters concerning appeals regarding the accuracy of electing its members and the membership will not be terminated unless there is decision from the majority of low thirds of the attendees.

## **Chapter six: Electoral crimes**

### **Article Fifty Seven:**

The punishment of imprisonment for the following:

1. Who ever used money to allure voters or used any methods of frond or violence to elect someone or to deprive any one from getting elected.
2. Stealing of the voting box or forcing it open or destroying and doing similar acts to the voting cards or performing any criminal act regarding this will be dealt with according to the penalty law.
3. Registered their name twice in the voting rosters intentionally.
4. Gave their vote twice.
5. Voting against the wishes of those voters who require assistance.
6. Preventing a voter from voting in any manner.
7. Preventing the elections or disturbing it.
8. Forgery while sorting the votes.
9. Breaking the regulation regarding the electoral publicity.

**Chapter seven**  
**Other provisions**

**Article Fifty Eight:**

It is prohibited for any armed man or armed force to enter the assembly or to establish a fixed location near its gate only if requested by its chairman.

**Article Fifty Nine:**

No appeals of the time of the elections are heard after three months of its end.

**Article Sixty:**

The decrees issued by the assembly are published in a special newspaper put by the assembly and it will be affective from the first day of publication if no other date is determined for that purpose.

**Article Sixty One:**

The law is effective from the day it is published in Front Kurdish newspaper.