



المفوضية العليا المستقلة للانتخابات في العراق
كۆميسونى باآلى سه ربه خوى هه آيزارد نه كان له عيراق

The Independent High Electoral Commission (IHEC) of Iraq

International Electoral Assistance Team (IEAT)

FACT SHEET

POLITICAL ENTITIES CAMPAIGN RULES & HATE SPEECH

The electoral campaign for the Governorate Elections started on 8 December 2008 and must end 24 hours before election day. This fact sheet provides guidance for voters, political entities and the public as to the rules governing campaigning and specifically deals with hate speech. These rules seek to guarantee peaceful and fair campaigning for all political entities, affording each group equal status under the law. Under the Electoral Law political entities can be fined, members imprisoned or subject to their votes being removed if found to be guilty of an electoral offence.

Political Entities Campaign Rights:

- Free and equal election campaigning shall be guaranteed for all candidates.
- Election campaigning shall be exempt from any fees.
- Election campaigning shall be free of violence for the protection of all candidates.
- Candidates may use such symbols and imagery as they choose, but must not use official state symbols in any form.
- Places of worship can be used for campaign purposes.

Prohibited activities in the Campaign:

- It is prohibited to begin campaigning before the start of the campaign period.
- Violence, intimidation, pressure, or declaring anyone as an unbeliever or a traitor is strictly forbidden.
- The use of force or the threat of force by a political entity or for its benefit may result in the political entity being banned from the electoral process.
- Bribery, enticement, granting or promising material or moral gains to anyone through campaign activities, is forbidden.
- Candidates are obliged to observe basic respect for each other. Defamation or slander of opposing candidates or political views is forbidden.
- Fraud or deception in campaign materials or statements is forbidden.
- It is prohibited to publicize 'false' candidates, to represent anyone as a candidate, who is not a candidate.
- Campaigning is not allowed in government buildings, including ministerial officers and government departments.
- Government employees are prohibited from participating in campaigning or to attempt to influence voters in any way. This includes military and members of the security forces.
- The use of governmental funds, ministerial budgets, or foreign support funds in campaign activities, is forbidden.

For further information please visit the IHEC website at www.ihec.iq or call the IHEC National Call Centre on the following toll free numbers: Mobile 7777 or landlines 7432516, 7432518 and 7432519

- Campaign materials are not allowed in polling stations.

What is “hate speech”?

The term “hate speech” can be understood as the dissemination of propaganda to incite war, or the advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence.

What are the consequences of “hate speech”?

Hate speech can lead to incitement of discrimination, hostility and violence against members of the public, particularly vulnerable groups such as minorities or components parts of the electorate.

What does the Iraqi Law say about hate speech?

The Constitution of Iraq, Article 7, states, “any entity or program that adopts, incites, facilitates, glorifies, promotes or justifies racism or terrorism or accusations of being an infidel (takfir) or ethnic cleansing, especially in Saddamist Ba’ath in Iraq and its symbols, under any name whatsoever, shall be prohibited. Such entities may not be political pluralism in Iraq. This shall be regulated by law.

IHEC Regulation No. 4 of 2008 on crimes and penalties related to elections and referenda, states that activities that could constitute hate speech may carry penalties for political entities, groups, persons or other bodies that commit such actions. For example, accusing others of being infidels or traitors carries a fine of no less than 10 million dinars and insulting or threatening IHEC staff could result in imprisonment for up to six months and a fine of up to 500,000 dinars.

All campaign activities will cease 24 hours before polling stations open.

Cooperation in ensuring peaceful and constructive elections is vital; the IHEC welcomes all those who positively participate in this process.