

Procedures of Registration and Certification Of candidates for Iraqi CoR Elections 2010

Preamble

Based on the authority given to BoC in article (4)/ Paragraphs (Third and Eighth) of IHEC Law No. (11) Of 2007, and Candidate Certification Regulation No. () of 2009, these procedures were approved:

Section 1

First: Definitions, terminologies below define as following:

1. **Elections Law:** Iraqi CoR Law No. (16) For the year 2005, amended.

2. Political Entity:

An organization, including a political party or an individual that intends to nominate himself alone for the elections, provided that they obtain official accreditation as a political entity by IHEC.

3. Coalition: A combination of two or more political entities for the purpose of submitting a unified list of candidates in specific elections.

4. Individual List: The list, by which an individual has the right to nominate himself, provided that he\she is registered and accredited by IHEC as a political entity.

5. Electoral District: Each specified governorate with official administrative boundaries for which a number of seats were allocated, according to the provisions of elections law.

6. National Office (N.O.): IHEC Head Office in Baghdad.

7. Governorate Electoral Office (GEO): IHEC Office of Electoral Administration in each governorate.

8. Regional Electoral Office (REO): IHEC Office of Electoral Administration in Kurdistan Region.

9. Candidate: Any person whose candidacy has been accepted for the Iraqi CoR 2010.

10. Authorized representative: A person accredited by the head of a political entity or the heads of entities forming a coalition, according to an authorization form prepared by IHEC, to submit lists of candidates.

11. Component seats: Seats allocated to minorities (Christians, Yazidis, Sabeans (Mandaens) and Shabak), according to the Iraqi CoR Election Law.

12. Personal pledge: a written statement signed by the nominated candidates confirming that they meet the candidacy conditions, according to a form prepared by IHEC.

13. Form (3): Form approved by IHEC for submitting the names of candidates of political entities and coalitions.

14. Form (7): Form approved by IHEC as a receipt for receiving candidate lists.

15. Form (8): Form approved by IHEC containing information and details of PE/ coalition candidates.

Second: Scope of Implementation of Procedures:

- These procedures shall apply to candidates of political entities and coalitions for the Iraqi CoR elections 2010.

Section 2

Components Seats

1- In accordance to Election Law, compensatory seats for Components will be as following:

- a. The Christian Component: five seats to be distributed to the governorates of Baghdad (1), Ninewa (1), Erbil (1), Kirkuk (1) and Dohuk (1).**
- b. The Yezedi Component: one seat in the governorate of Ninewa.**

c. **The Sabean Mandaen Component:one seat in the governorate of Baghdad.**

d. **The Shebak Component: one seat in the governorate of Ninewa.**

2 - The political entities and coalitions compete for component seats should specify the type of component the entity intends to compete for its seats.

3- Candidate lists should be submitted within a period specified by IHEC.

4- Candidate lists should be submitted in the governorate for which the political entity or Coalition intends to compete.

5- It is not allowed to repeat the names of candidates in the lists of entities, coalitions

Section 3:

First: Registration of Candidates process:

1. Who has the right to nominate?

- Any eligible Iraqi voter has the right to nominate himself in the elections, provided he/she meets the nomination conditions stated in the election law which are as follows :
 - a. Completed thirty years of age at nomination
 - b. Must not be included in accountability and justice law.
 - c. Did not become rich in illegal ways; by using country resources or public funds.
 - d. Not convicted of any crime involving moral turpitude, and to have good reputation.
 - e. At least holds secondary school certificate or equivalent.
 - f. Must not be a member in the Armed Forces when nominated.

2. Period and Place of Submission:

A. Accredited Political entities by IHEC should submit their lists of candidates in the period from (10\11\2009) to (16\11\2009), at

Karkh and Rasafa GEOs in Baghdad, and IHEC offices in the governorates.

- B. Candidate lists will be received throughout the week, including Friday, from 09:00am- 07:00pm.
- C. Political entities must adhere to the above stated period; applications shall not be accepted before or after this period.

3. Only accredited political entities and coalitions have the right to submit candidate lists.

4. Only the head of political entity or his authorized representative has the right to submit candidate lists. Should more than one list be received, the one submitted by the head of the political entity will be accepted.

5. The political entity must submit two colored copies of the candidate lists, personal pledge and documents.

Second: Procedures of Submission:

Political entities and coalitions must submit candidate lists according to the form prepared by IHEC:

Note: Forms should be typed electronically and printed then submitted. No form will be accepted if it contains any error or missing information.

- A. Form (3) must be filled in completely and free from any scratch or writing off, and submitted within the period specified by IHEC.
- B. Personal pledges for all the listed candidates in form (3) and its attachments. .

1. Form (3): -

1. Form (3) includes the following information:

- a. Name of the political entity or coalition as written in the political entity accreditation form no. (1) And coalition accreditation form no. (4).

- b. Accreditation number.
 - c. Electoral district name which the candidate will nominate in.
 - d. Date of submission of form.
 - e. Name of authorized representative by IHEC and contact details.
 - f. component seats the entity/coalition wishes to compete for.
 - g. Name of candidate in four parts, gender, place and date of birth, mother's name in three parts, academic qualifications for each candidate, and signature.
2. A Political entity or coalition (except individual entity) may use multiple copies of Form (3), in accordance with the number of candidates submitted thereby. All information above must be entered on all copies of this form.
 3. The individual political entity must list one candidate only in form (3). Any other name in the form will be deleted.
 4. The nominated candidate must be born on 17\11\1979 or before.
 5. The candidate must not be nominated in more than one list or electoral district. Otherwise, IHEC has the right to delete his name from both lists and take legal measures,
 6. The number of candidates in the list must not exceed double number of seats allocated to the electoral district.
 7. The list must ensure women representation ratio, at least 25%, example, if the submitted list has three candidates; one of them must be woman.
 8. The submitted candidate lists are considered final, unless IHEC determines otherwise, in terms of candidate eligibility.
 9. If the political entity or coalition does not submit candidate lists within the period specified by IHEC, or if the list was not comply with the legal conditions for accreditation, and IHEC informed the PE\Coalition, and they did not reply to IHEC notification, they will be considered as withdrawn from the elections and its name will not appear on the ballot paper.
 10. Entities competing for component seats should submit a list of two candidates only.

2. Personal pledge: -

This is a statement by the candidate that he meets the nomination conditions, according to IHEC form; the statement contains the following details:

- A. Candidate name in four parts.
- B. Place and date of birth.
- C. Place of residency.
- D. Telephone number and e-mail.
- E. Academic qualification.
- F. Number and date of civil status ID.
- G. Name of political entity or coalition, and number of accreditation.
- H. Name of electoral district.
- I. Order number of candidate in the candidate list.
- J. Pledge that the candidate meets all nomination conditions stipulated in the electoral law and regulation of candidate certification no. (17) Of 2009.
- K. Pledge that the candidate will not nominate himself in any other list or electoral district.
- L. Pledge that the candidate will adhere to the code of conduct signed by the political entity or coalition which the candidate is nominated with.
- M. Pledge that the candidate will adhere to the rules of electoral campaigns as stated in the Election Law.
- N. Name of candidate, signature, date, and left thumbprint.
- O. Signature of head of political entity or his authorized representative and the stamp of the political entity.

*** The following documents must be attached to confirm conditions of nomination:**

- a- Colored personal photo.
- b- Colored copy of new civil status ID
- c- Colored copy of Iraqi nationality certificate
- d- Colored copy of ration card
- e- Original copy of high school certificate, as a minimum, certified by the respective ministry
- f- Letter of equivalence certificate issued by the Ministry of Education or Ministry of Higher Education for graduates from non-Iraqi schools or Universities (final equivalence).

g- Letter of approval on resignation letter, if the candidate is a member of armed forces or security organs.

h- The Political Entity/Coalition must submit the documents in one envelope containing all the documents of the candidates, provided there is a special file for each candidate.

*** The political entity must fill in the above information clearly and accurately. Any error that appears may delay the accreditation of candidate lists or the possibility of rejecting the accreditation.**

*** Note: Forms and personal pledges of candidates can be obtained through the National Office, REO, GEOs, or IHEC website: www.ihec.iq.**

3. Form (7): -

This form is prepared by IHEC as a receipt for receiving candidate lists. OIC prepares two copies of this form after receiving the candidate lists, form (3) and personal pledges, and form (8) with attachments; one of them will be handed to the head of PE or his authorized representative, after being signed by both the OIC and the representative. Form (7) contains the following information:

4. The information below should be filled by the intake OIC who receives the candidate lists:

1. Date and time of submission.
2. Full name of political entity or coalition.
3. Graduation certificates, number of pages, and number of copies.
4. Candidates' personal pledges, number of pages, and number of copies.
5. Number of copies and pages of Form (3).
6. Name of governorate for which PE submitted lists, and number of pages and copies.
7. Name of Head of PE or his representative with his signature, and date (to be filled by head of entity or his representative).

8. Name of OIC, his signature, and date (to be filled by the OIC who filled copies of form 7).
9. Form (8), number of pages, and number of copies.

5. Form (8) (Candidate information form): -

This form is prepared by IHEC, and it contains information and details of all the candidates of the PE/coalition, provided it does not contain the name of the entity or any other indicator of the name. The PE must fill in this form electronically and accurately. The form contains the following information:

- a. Full name in four parts.
- b. Place and date of birth.
- c. Name of governorate which the candidate resides in.
- d. Mother's name in three parts.
- e. Academic qualification.
- f. Graduation year.
- g. The body issuing the document.
- h. Number and date of the academic certificate.

Note: Scanned copies of the academic certificates for all candidates should be attached with Form (8).

Section Four

First: procedures implemented by GEO staff: -

The staff consists of the following:

- P. Office manager (1)
- Q. Data verification officer (1)/ entities section OIC

- R. Intake OIC (1)/ entities section clerk
- S. Data entry clerks (3)
- T. GEO Accredited officer (1)

- The manager, in addition to administrative tasks, must ensure that candidate accreditation process is implemented according to IHEC procedures, and supervise the batching and dispatching of materials to N.O. based on the procedures below, including the storage of the received documents in the appropriate locations at the end of every day.
 1. When Intake OIC receives candidate lists, he must ensure that the submitter is the head of PE or his authorized representative.
 2. OIC ensures that all the required information is listed in form (3), as well as the candidate's personal pledge and attachments. He must not receive the lists or documents if not complete.
 3. Checking conditions regarding women ratio in the list, and the minimum and maximum number of candidates.
 4. Intake OIC records candidate lists of the political entity or coalition in a special register, and marks the lists based on governorates.
 5. Intake OIC must fill in 2 copies of form (7), and provide the representative of entity or coalition with a copy, provided that both the OIC and head of entity or representative sign it.
 6. Intake OIC must attach form (3) with candidates' documents after ensuring that all required information is listed, one envelope for every candidate, listing therein all information of the candidate, then a special envelope will be designated for every political entity.
 7. Intake OIC hands the candidates' lists and attachments to the Verification officer.
 8. Verification officer must ensure women ratio in the list, Percentage of women should not be less than 25% in one list.
 9. Verification officer must check that the maximum number of candidates in the electoral district is not exceeded.
 10. Verification officer must confirm that the required documents of every candidate are available.
 11. Verification officer must check the candidate's required academic qualification as well as other conditions he should meet.

12. Verification officer must check that the attached copies are identical.
13. GEO staff will put the first copy of candidates' lists, pledges and personal documents of every candidate in special envelopes in the same above-mentioned method, and will keep the second copy.
14. GEO manager will supervise the provision of materials to be sent to N.O. and provide the security requirements for transportation.
15. GEO Accredited officer must transport the materials to N.O. in Baghdad.
16. Officer of entities section in the governorate must send a daily report to PE division on the progress of candidate registration process, based on the form prepared by the division.
17. GEO must refer to N.O. for any inquiry.

Second: Procedures implemented by N.O. and DEC staff: -

1. N.O. staff will work as committees, under the supervision of the head of division, provided that every committee coordinates with a number of GEO. GEO staff can ask for N.O. help when necessary. Every committee consists of the following:
 - Intake OIC (1)
 - Verification officer (1)
 - Database auditor (1)

- After receiving the candidate lists from GEOs, Intake OIC should record the lists in the special registers, after checking that all the required documents are included, then he should provide the GEO accredited officer with form (7) signed by both of them. A special intake stamp should then stamp the candidate list.
- No application with missing info or error will be accepted. All documents required for all candidates in the list should be submitted.
- Form (3) on candidate lists should be copied in order to send it to DEC. Data will be entered under the supervision of PE Division.
- Verification officer will check nomination conditions, number of candidates, women percentage, correct documents and other conditions. Should the lists meet the nomination conditions, the

form will be stamped with a special stamp to indicate that it passed the first phase of auditing at N.O. If not, the officer will contact the GEO to inquire about the missing info, if any.

- The forms will be sent to the database auditor, who will compare the original copies with the information in the database. At this phase, the officer can amend the information in the database, if needed, according to form (3), (original copy). Afterwards, the database auditor will stamp the form to indicate that it passed the second phase of auditing.

*** IHEC staff must take into consideration the following nomination conditions in each list:**

- Verification officer must check sequence of the form copies at the bottom of the form, if more than one copy of Form (3) is used.
- Verification officer must check that PE/coalition which has submitted candidate lists in an electoral district, has not formed a coalition with another PE in the same electoral district.
- If the list or candidate does not meet any of the above conditions, IHEC will delete the name of the candidate or delete the entire list and inform the PE or coalition, unless IHEC requests to amend the list in order to render it meet the legal conditions.
- Making sure that the PE that submitted the candidate lists is approved by IHEC and has not submitted any request to withdraw from the elections.
- All candidates in form (3) must meet the nomination conditions stipulated in the electoral law.
- Making sure that candidates' names submitted by a PE are not listed in another list or electoral district.

*** Final candidates' lists and archiving:**

- A special register will be prepared, containing names of PEs and their candidates who will compete in the elections.
- Candidate lists will be kept in special envelopes, provided that there is an envelope for each candidate, placed inside an envelope that contains all candidates of PE/coalition.
- After the end of the candidate registration period, PEs which did not submit candidate lists or lists that were rejected by IHEC, and entities that have withdrawn, will be sorted out in order to exclude them from

the data on the ballot paper, provided they are listed in a special table, according to governorates.

- After entering the data of candidates and comparing them with the original lists, lists with the names of candidates will be prepared, according to governorates.
- There will be coordination with the design division on the information required for the ballot paper, and a list of requirements will be prepared to design the ballot paper.
- The Design division will send the ballot paper to the PE Division for approval and to make sure all the required info on the ballot is accurate.
- Forms, database, and documents will be archived in a secured steel locker in a safe place, provided they are organized by governorate and PE/ coalition for easy reference, when needed.
- IHEC will approve PE candidate lists when all the above conditions are met. IHEC has the right to reject lists or candidates if they do not meet any of the conditions in the Elections Law or the above conditions.

Third: PE rights and obligations:

1. Every PE or coalition (except individual PE) may submit more than one list depending on the electoral districts PE wishes to participate in.
2. PE can submit a candidate list in an electoral district, form a coalition with another PE, and submit another candidate list in another electoral district. They are not allowed to run for the elections in the same electoral district.
3. PE must not withdraw from the coalition after submitting to IHEC the candidate lists of that coalition.
4. PE must not submit a candidate list in an electoral district and then submit another list within a coalition in the same electoral district. If this happens, the PE list will be deleted and the coalition list will be accepted.
5. The submitted candidate lists are considered final, unless IHEC requests PE or coalition to amend the list in order to meet the legal conditions.
6. If it is proved to IHEC that a candidate nominated himself in more than one electoral district or list, IHEC shall delete his name and take legal measures.
7. If it proved that a PE or coalition contributed to listing a candidate name in more than one list or electoral district, IHEC will fine the PE or coalition, according to the Election Law.

8. If IHEC rejects individual names because they are not eligible, these names will be deleted from the candidate list, and the rest of the list will be accepted if it meets the legal conditions.
9. IHEC will receive complaints on candidate registration period, according to adopted procedures, through GEOs, REO or N.O. in Baghdad.

*** Appealing IHEC decisions:**

PEs may appeal IHEC decision to reject a list within three days, starting from the day following publication, according to paragraph (5), Article (8) of IHEC law. The appeal must be submitted by the concerned PE to the N.O., REO, GEO, or EJC. EJC decision is considered final and cannot be appealed (Paragraph Seventh, Article 8 of IHEC law).

Section Five

*** Publication of IHEC decisions of approval or rejection of candidate lists: -**

1. Should IHEC issue a decision to reject lists or candidates' names, IHEC must publish this decision in three local newspapers for three days, in Arabic and Kurdish languages.
2. IHEC should publish names of the approved PEs and their candidates no less than (30) days before the Election Day.

These procedures were approved by BoC on 9/11/2009.