



## IHEC Regulation No.13

According to the authority granted to the Board of commissioners in article (4), item (8) of the Independent High Electoral Commission's law No. (11), in the year 2007, we decided issuing the following regulation:-

# (Observers of elections and referenda)

Regulation no. (13)

### (Preamble)

The independent High Electoral Commission in Iraq has been established according to law no (11) of the year 2007 to be the only electoral authority in Iraq, The commission is professional, autonomous, independent, and neutral and subject to the supervision of CoR.

### Part 1 (Terminology)

The following terms have the meaning opposite them:-

1. **"Commission:-**means The Independent High Electoral Commission.
2. **"Electoral and Referenda observer team"** means a registered group by IHEC, who observe the process of VRU and all types of elections and regional, local, and federal referenda, to evaluate them then report on them.



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3. "**Electoral and Referenda Observer**" means a registered person in the group of observers accredited by IHEC to observe VRU and electoral and referenda operations on behalf of the observer.
4. "**Code of Conduct**" means the Electoral and Referenda Observer Code of Conduct issued by the IHEC.

### Part 2

#### (Accreditation of Electoral and Referenda Observers)

1. Electoral and Referendum Observers are an important element of the democratic process. They are independent from any governmental or IHEC directives. Their role is restricted to observing VRU, Elections, and Referenda, to produce a report on their integrity and adherence to international standards.
2. Iraqi and International observer teams are registered by IHEC to observe all aspects of Elections and Referenda. The registered teams appoint observers to enable the team to perform its task effectively.
3. IHEC accredits Teams of observers only and not individual observers. Only observers who are part of an observer team accredited by IHEC may monitor elections.
4. Accreditation of teams and their observers require signing the Code of Conduct and must adhere to it. Electoral and Referenda Teams of Observers are responsible that their observers adhere to the Code of Conduct. IHEC may withdraw the accreditation of a team or an observer who violates the Codes of Conduct.
5. An electoral observer group, whose accreditation has been withdrawn, has the right to challenge the board's decision within three days from the date after publication. The appeal shall be submitted to the National Office or to any other IHEC office in regions and governorates.



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6. The Board's decision is final, and can be appealed before the Electoral Judicial Panel, according to section 8 of IHEC law No.11 of 2007.

7. IHEC shall issue procedures for the registration of teams of observers, and for revoking accreditation of teams who violate the code of conduct.

#### **Part 3** **(Conditions of the observers' work)**

1. IHEC is not responsible for their transportation, safety, and communications or other support.
2. Each team registered by IHEC shall be solely responsible for all arrangements of support and costs in performing their duties (transport, residence, safety, and communications); IHEC shall not be responsible for any of these costs. Furthermore, any team of observers and their members should not use any of IHEC's means such as equipment or motor vehicles.
3. All teams should fully inform their accredited observers about Electoral and Referenda processes, and the Code of Conduct, before beginning their activities.
4. Each observer should sign his accreditation card on receiving it. Observers must carry an alternative means of identification complete with signature or photograph to enable electoral staff in registration, Referenda, and polling centers to confirm their identities.
5. Observers may not, under any circumstances, interfere in the processes of referenda and Elections or submit a complaint about them. They may draw the attention of IHEC staff, the BOC, or the CEO to the issues they wish to raise; but the latter are not obliged to act upon these comments.



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6. Observers will report their notes to their supervisors. The team may then issue an official public report with these notes to IHEC about the results of their activities. They must provide, whenever possible, evidence and proofs to support all their assumptions and judgments when submitting these reports.

#### Part 4

#### (Date of Validity)

This Regulation shall enter into force from the date of its ratification by the Board of Commissioners on 14/ 4/ 2009.

Board of Commissioners