

## Fact Sheet **Election Law for the 2010 Council of Representatives Elections**

- The present election law applies to the election of the next Iraqi Council of Representatives (COR). It was enacted for the purpose of having a more representative election system, based on the eighteen governorates but also keeping the proportional system used in January and December 2005. It also allows Iraqis outside of Iraq to participate.
- The legislative framework for the next COR elections is based on the 2005 Election Law as amended by the Council of Representatives in 2009.
- Elections shall be held by public process, direct voting and secret ballot, in one day, with the date determined by a decree from the Council of Representatives Presidency Council and announced through all the media 60 days before holding the elections.
- A voter must be an Iraqi citizen, legally competent, 18 years old and registered to vote in accordance with the procedures established by Independent High Electoral Commission of Iraq (IHEC).
- A candidate must be a voter no less than 30 years of age, with at least high school certificate (or its equivalent), must not be covered by the Deba'athification law, or be convicted of a crime violating honor, or have enriched himself illegally, or be a member of the armed forces upon nomination; the candidature will be subject to the approval of the IHEC. At least one woman must be among every three nominees on each entity list.
- The Council of Representatives is composed of 325 members, 310 seats shall be distributed to the governorate constituencies and 15 shall be compensatory seats from which 8 shall be reserved for component candidates. Each governorate is one electoral constituency and shall be allotted a number of seats proportional to the estimated population in that governorate using official statistics from the Ministry of Trade.
- Seat allocation will be based on the provisions in the Election Law as regulated by the IHEC.
- Seats allotted to electoral constituencies shall be allocated to political entities through the system of open list proportional representation: each political entity is allotted a number of seats calculated by dividing the total number of votes received by each entity by the "election quota" (total number of valid votes in the constituency divided by the number of seats allotted to that constituency). Seats shall be awarded to candidates on the political entity lists starting with the candidate with the highest number of votes until all seats have been allocated to the entities. Any remaining vacant seats shall be allocated to entity lists proportional to votes received.
- Component reserved seats will be awarded from the compensatory seats to those registered component political entities which receive the highest number of votes in their electoral constituency. Component seats will be awarded by governorate except for Christian seats which have one national constituency.
- National Compensatory seats allotted to each political entity are calculated by dividing the total number of votes obtained by each entity by the "national average" (calculated by adding the total number of valid votes in Iraq and the Out-of-Country votes and divided by the total number of seats in the Council of Representatives). The remaining seats shall be distributed to entities that have been allocated seats in the electoral constituency based on ratio of the number of its votes to the total votes.
- Out of country voters will be allowed to vote for their governorate of origin. The IHEC will require proof of citizenship and documentary evidence of origin.
- The election campaign shall be free, in accordance with provisions of the law, and any candidate may conduct their campaign from the date of nomination to the day immediately preceding the Election Day. Any use of government resources in the election campaign is prohibited by law.
- Electoral offences, as stated in the law shall be punished in accordance with applicable laws.
- The IHEC has the right to issue regulations and procedures necessary for the implementation of the electoral law.