



IHEC Regulations 9 - UN Unofficial Translation

**Pursuant to the authority given to Board of Commissioners (BoC) in Article (4), Paragraph (Eighth) of the Independent High Electoral Commission Law No. (11) of 2007, and the amended Kurdistan Region Presidency Law No. (1)/ 2005, we decided to issue the following regulation:**

**Election of the President of Kurdistan Region  
Regulation No. (9)/ 2009**

**(Preamble)**

The Independent High Electoral Commission (IHEC) was established by Law No. (11) of 2007 to be the exclusive electoral body in Iraq. The IHEC is a professional, governmental, independent, neutral body with juridical personality, subject to the supervision of the Council of Representatives (CoR)

**Section 1  
(Terminology)**

The following terminology is explained below:

1. Commission: the Independent High Electoral Commission.
2. Council: Board of Commissioners.
3. Eligible Voter: Anyone who meets the legal conditions for citizenship and eligibility to vote.
4. Candidate: Anyone whose candidacy for the Kurdistan Region Presidency Elections was accepted officially by the IHEC, according to its procedures.
5. Kurdish Regional Electoral Office (KREO): IHEC's Office of Electoral Administration in the Kurdistan Region.
6. Court of Cassation: Kurdistan Region Court of Cassation.
7. Electoral Campaign: The legitimate media campaign run by the candidate to urge voters to vote for him.
8. The Electoral Judicial Commission: The commission that consists of three part-time judges assigned by the Court of Cassation of Kurdistan Region/Iraq.



## Section 2 (President of the Region)

1. Kurdistan Region- Iraq is governed by the president of Kurdistan Region.
2. Citizens of Kurdistan region elect their president through direct secret ballot.

## Section 3 (Candidate Eligibility)

1. A candidate must meet the following conditions:
  - A. Not less than 40 years of age on election date.
  - B. Be a citizen and resident of Kurdistan region- Iraq.
  - C. To have valid civil and political rights.
2. IHEC has the right to send the names of candidates to the respective authorities to check their eligibility.

## Section 4 (Nomination)

1. IHEC shall specify a period for receiving nomination applications and will not accept any applications before or after this period, which will be announced in different media outlets.
2. The submission should be through a Form prepared by IHEC and a candidate must deposit IQD (25000000) Twenty Five Million Dinars, to be returned to the winner candidate in the elections, otherwise, the amount will be considered as revenue to the public treasury.
3. The application must be submitted by the candidate in person, and he has the right to authorize a representative on his behalf to continue the nomination procedures.
4. The nomination application shall be submitted at the regional electoral office.
5. The higher commission should decide on the nomination application and announce it within 4 days of the date of the application, and the candidate is considered notified as of the date of the announcement.



6. IHEC will announce the names of the candidates no less than fifteen days before Election Day.
7. The candidate has the right to object to BoC rejection decision before Kurdistan court of cassation within 7 days of the decision date.
8. The court shall issue a final decision and announce it within 2 days from the date of submitting it to the court.
9. The candidate is considered notified as of the date of issue.
10. No candidate is permitted to withdraw from the elections after the end of the nomination period.
11. The candidate will lose eligibility for candidacy if he provides false information, and will be liable for all legal consequences.

#### **Section 5 (Electoral Campaign)**

1. The Candidates' electoral campaign will begin as of the day of approval of their nomination and will end 48 hours prior to Election Day.
2. All candidates shall follow the conditions and provisions of electoral campaigns of the Kurdistan Region Parliament Elections No. (4) of 2009.

#### **Section 6 (Election)**

1. Voters should meet the conditions stated in the amended Kurdistan Region Parliament Elections Law No. (1) of 1992.
2. The Presidential elections will be conducted on the same day of the Kurdistan Iraqi Parliament Elections.
3. Voting will take place through public direct secret ballot.
4. The winner is the candidate who receives the simple majority of votes.

#### **Section 7 (Complaints and Challenges)**

1. BoC shall decide on electoral complaints.



2. BoC decisions are to be published in Arabic and Kurdish for a period of three (3) days – in three daily newspapers.
3. Decisions may be appealed to the Electoral Judicial Commission within three (3) days following the next day of publication of the decision.
4. The Electoral Judicial Commission shall decide on the challenge within 10 days of the date of the challenge submission to the court.

### **Section 8 (Certification of Results)**

1. IHEC shall announce the results of the elections.
2. The announced results can be challenged before the Electoral Judicial Commission within 3 days, starting from the day following the publication of results.
3. The Electoral Judicial Commission shall decide on the challenges within a period that does not exceed 10 days from the date of submission of the challenge. Results will be certified after all challenges have been adjudicated.

### **Section 9 (Effective Date)**

These regulations are effective from the date of certification by BoC on 13/5/2009.

**Board of Commissioners**