



المفوضية العليا المستقلة للانتخابات في العراق  
كۆمیسونی باڵای سه ره ربه خۆی هه لێژارد نه كان له عێراق

The Independent High Electoral Commission (IHEC) of Iraq

International Electoral Assistance Team (IEAT)

## Fact Sheet

(Elections for Kurdistan-Iraq Parliament and for President of Iraq Kurdistan Region)

### Complaints related to the processes of 1) Voter Registration Update, 2) Exhibition & Challenges

*Iraqis eligible to vote in the Kurdistan Region, political entities and their accredited agents can lodge a complaint regarding both processes to the IHEC in accordance with the regulation governing Electoral Complaints and Disputes. IHEC accredited election observers and media representatives cannot lodge complaints.*

#### Complaints and challenges

Complaints can be filed during both the Voter Registration Update and the period of Exhibition & Challenges. In addition, entries into the Provisional Voter List may be challenged. The Voter Registration Update and the period foreseen for Exhibition & Challenges coincide, and will run from 25 July to 7 June (Exhibition & Challenges to 10 June)

- **Complaints:** are statements provided in writing describing an alleged irregularity of the voter registration update and/or of the process of exhibition & challenges. In addition the statement may describe an alleged discrimination due to race, colour, age, gender or religion or any circumstantial incident such as intimidation of anyone who wishes to register, to update his/her data and/or to challenge an entry in the Updated Provisional Voter List. Destruction of electoral materials or impediments upon the work of the IHEC staff may equally form the subject of any complaint.
- **Challenges:** can be submitted if there are errors or exclusions detected in the Updated Provisional Voter List, or if any person is included who is believed ineligible to vote.

*Complaints* must be submitted no later than three days after the alleged incident or observed irregularity, by way of the prescribed Complaints Form 110.

*Challenges* must be submitted during the Exhibition & Challenge period (25 May – 10 June) by way of the prescribed Challenge Form 151.

#### IHEC accredited election observers and media representatives

Both categories may notify Voter Registration Centre Managers of any irregularity and report to their respective organisations for follow up. These may choose to publish or report their findings to the IHEC National Office.

#### Lodging a complaint or challenge

The prescribed Complaints Form 110 is available at Voter Registration Centres, at any IHEC electoral office and at the IHEC website [www.ihec.iq](http://www.ihec.iq).

The following information must be provided:

1. Name, address and contact information of the individual or political entity/agent lodging the complaint or challenge – in addition the signature of the complainant is mandatory;
2. Name, address and contact information (if available) of the individual, IHEC official or political entity/agent alleged to have committed an irregularity or violation;

3. A detailed description of the alleged complaint and/or challenge;
4. The signature of the aggrieved individual, IHEC official, political entity or organisation – if possible or available;
5. In addition, complaints will need to include date, time and place where the alleged irregularity or violation was took place, and the names, address(es) and contact information of any other witness(es). If the complainant acts in the capacity of an agent of a political entity then the complaint must be signed by an authorised representative of that entity.

Completed Complaints Forms can be submitted:

- To IHEC staff at the Voter Registration Centre, or
- To one of the three IHEC Governorate Electoral Offices in the Iraqi Kurdistan Region, or
- To the IHEC Regional Electoral Office, or
- To the IHEC National Office;

### **Adjudication bodies**

The IHEC Board of Commissioners has the primary jurisdiction to receive and resolve complaints and challenges submitted by any person eligible to vote who is aggrieved by an irregularity or violation of procedures governing both the voter registration update and exhibition & challenges processes.

The Board of Commissioners may delegate its jurisdiction to the Electoral Administration.

### **Adjudication of complaints and challenges**

Upon receipt the IHEC may conduct preliminary investigations into any complaint/challenge in a timely and impartial manner ensuring confidentiality of the information submitted. The IHEC may dismiss a complaint or challenge that is clearly ill-founded or does not have justifiable evidence. The complainant or challenger will be notified in writing and be given an opportunity to respond if the IHEC considers the complaint/challenge well founded. The IHEC may call witnesses, including parties to the complaint/challenge, and conduct hearings which may be conducted in public or private – taking into account issues of security and confidentiality.

The Board of Commissioners or the Electoral Administration (with delegated jurisdiction) will process the complaint/challenge and make a decision in favour or against the complaint/challenge.

The complainant or challenger will be notified in writing of the decision whenever possible. The notification shall include a notice to the complainant/challenger of his/her right to appeal the decision and how to proceed.

Decisions of the Board of Commissioners regarding complaints/challenges related to the voter registration update and/or exhibition & challenges process will be published during three consecutive days in three daily newspapers, both in Arabic and Kurdish and posted on bulletin boards at GEOs/KREO and National Office levels.

### **Appeals against the Decisions of the IHEC Board of Commissioners**

The Board of Commissioners may reconsider a decision after presentation of new evidence. Final decisions of the Board of Commissioners may be appealed to the Electoral Judicial Panel of the Iraqi Kurdistan Region in Erbil according to Art. 6 par. 4 of the amended 1992 Law of the Kurdish National Parliament.

The decisions of the Electoral Judicial Panel are final and cannot be appealed.