

Registration and Accreditation Procedure for the International Observation Teams For the Iraqi Council of Representatives Elections and the Provincial Councils Elections, not Organized into a region in 2018:

Table of Contents

- Section One:

First - Definitions

Second - Goals

a- Section Two

b- General Information

c- Observers Rights

d- Obligations of the Observation Teams

- Section Three

- Registration and Accreditation Procedures of the International Observation Teams

1- who has the right to register

2- When to register.

3- Where to register.

Section Four

First - Observers Badges

Second - Registration and accreditation reports of the International Observation Teams.

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"Preamble"

Pursuant to the authority granted to the Board of Commissioners in Article 4, Paragraph 8, of the Independent High Electoral Commission (IHEC) amended Law no. 11 of (2007), and law of Iraqi Council of Representatives Election no. 45 of 2013 and amended law of the Provincial and district Councils Elections no.(36) of 2008.

Section one

Definitions

- 1- **The commission:** The Independent High Electoral Commission (IHEC).
- 2- **The Board:** The IHEC Board of Commissioners (BoC).
- 3- **The National Office:** The IHEC's main office in Baghdad
- 4- **The Regional Electoral Office:** the IHEC's office for Electoral Administration in Kurdistan Region – Iraq
- 5- **Electoral Observer:** A registered person within the Observation Team accredited by the IHEC to monitor all the electoral process on behalf of the team.
- 6- **International Observation Teams:** It is the international governmental bodies such as the diplomatic bodies (Embassies and Consulates) and non-governmental bodies including associations, organizations and other electoral administrations which submit an application for registration to participate in monitoring the electoral process.
- 7- **Observers:** people who are nominated by the international observation team accredited by the IHEC to monitor the electoral

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process on behalf of the team.

8- Code of Conduct: number of the principles and obligations issued by the IHEC to insure the implementation of electoral process in accordance with its applicable laws and regulations that the Observer should be committed to this code of conduct.

9- International Observers: There are two categories:

- a- Persons who are living outside Iraq and have been assigned to observe the electoral process on behalf of the international team.
- b- Persons who are living inside Iraq and representing foreign organizations that have branches inside Iraq or diplomatic bodies that have been nominated to monitor the electoral process on behalf of the parties they represent.

10- Form (131/): it is the form that set by the IHEC to register the international observation team.

11- Form (132/): it is the form that set by the IHEC including the name of observer who will be accredited.

12- Accredited representative: an authorized person chosen by observation team to be contacted with IHEC and in charge of submitting all documents and forms in order to sign them on behalf of the team.

13- Accreditation: it is the process of accreditation the individuals' name who are representing the international observation team listed as monitors in the form (132/) to observe the electoral process.

Second – goal:

The goal of accreditation the international observation team is to ensure holding the electoral process according to the electoral law and international standers, and to make sure of its transparency and integrity to increase the voters' confidence.

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(Section Two)

a- General Information:

- 1- The IHEC has the right to revoke the accreditation of the observer for violating the code of conduct, regulations and instructions issued by IHEC including the regulation of the observers of the elections and referendums.
- 2- All the international parties desiring to monitor the provincial council elections not-organized into a region 2018 are invited to register and accredit their observers by the IHEC.
- 3- The IHEC accredits observations' team and there is no legal paragraph or article to accredit observers as individual.
- 4- It is stipulated to accredit the observation teams and its observers to sign and commit to the code of conduct of observer teams. The teams are responsible for the commitment of its observers to the Code of Conduct issued by the IHEC. The IHEC has the right to revoke the accreditation of an observer for violating the code of conduct.
- 5- Observers need to ensure that their reports are comprehensive and take into consideration all aspects of the electoral process. Observers should also consider the transparency and accuracy upon submitting their electoral reports, which should be made available to the public.
- 6- International observers have the right to be accompanied by their translators and security personnel during the observation process to facilitate their work.
- 7- The IHEC will provide badges to all members of the electoral observation team, which includes security personnel and translators. And their badges will be stamped with special stamp and they must commit to the IHEC's code of conduct and follow the same legal procedures.
- 8- The accredited observers within the observation team have no right to work as accredited representatives of the media at the same time.

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b- Observer Rights:

- To observe the electoral process of the council of representative and provincial council elections not-organized into a region of 2018.
- To freely access to the polling centers and stations after showing the IHEC's official accreditation badge to the IHEC officers as an accredited observer, provided that it doesn't affect the course of electoral process
- Each observation team has the right to name a number of its translators and security personnel to accompany it during the observation process.
- Observers should not interfere in any case in the electoral process or file a complaint about it, and they have the right to inform the IHEC's staff on the issues occurred while the IHEC's staff is not obligated to take the issue into consideration.

c- Observer Teams obligations

- The IHEC is not responsible for providing means of support and costs related to the duties of observers and team such as (communications, transportation, accommodation and any further costs); any team of observers shall not be allowed to use the IHEC's possessions, such as equipments or cars
- Observer teams shall be committed to introduce and define its observers accredited by the IHEC with the regulations, procedures and Code of Conduct issued by the IHEC before commencing any activity
- An observer should sign his \ her accreditation card upon receiving it, and should hold another photo ID to enable the polling station staff to make sure of his\her identity.
- Observer should be neutral and non-partisan as well as he must be commits to not support any political party whether by talk or dress, and must not object or stand against any political party or

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candidates and refrain giving any statement to support or stand against any political party or candidate of political block.

- Observer must be committed by the professional behavior that compatible with the laws and, valid regulations and instructions issued by the IHEC and the code of conduct of the international observers.
- Observers must raise their observations notes to their heads and the team must submit a final general report to the IHEC on the results of their activities enhanced with the evidences which support all their assumptions and judgments when presented.

(Section Three)

- Registration and Accreditation Procedures of International Observation Teams

1- Who has the right to register :

- a- All the international bodies (embassies, consulates, foreign organizations or its branch and the electoral entities) that exist in or out Iraq have the right to request an application to register or accredit their international observers on its behalf to monitor the electoral process according to the regulations issued by IHEC.
- b- All other international bodies which have branches in Iraq and a certificate of registration issued by the non- governmental organization as a registered foreign organization have the right to request an application to register and accredit their international observers on its behalf.
- c- All other international bodies (organizations associations or others) which don't have branches in Iraq, have the right to request an application to register and accredit their international observers to monitor the electoral process after obtaining the

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approval of the Iraqi Foreign Affairs Ministry or Department of Foreign Relations in Kurdistan region.

- d- Members of the Board of Commissioners (BoC) have the right to reject or accept any request from any international body to monitor the electoral process that did not receive an invitation previously by the IHEC.
- e- The Chairperson of the (BoC) has the right to send (invitations to a number of international organizations relevant to the electoral affair and observation, even if it were not registered by the authorized offices of the central government and the Kurdistan Regional Government, provided that the presence of these organizations in Iraq are for the electoral purposes only.

2-When to register

The IHEC shall send the invitations to the international organizations in date that will be determined and announced through the mass media and the IHEC website (www.ihec.iq)

3-Where to register

International observation teams shall register in the IHEC National Office and the KREO, or any other electoral premises identified by the IHEC.

Summary of the Registration and Accreditation Procedure of International Observation Team

- a- the IHEC shall send the invitations to participate in monitoring the electoral process in cooperation and coordination with the Iraqi Foreign Ministry

ترجم من قبل

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- b- The IHEC shall provide those international organizations that have indicated their willingness to observe the electoral process with copies of its accreditation procedures as international observation team, Code of Conduct of observation teams, all documents of the registration process, as well as all information related to the electoral process
- c- The observation teams shall nominate its authorized representative who undertakes the registration and accreditation process.

The following document should be submitted by the authorized representative

- An official authorization letter issued by the observation team mentioning the name of the authorized representative and copies of his official documents (the diplomatic ID or a copy of passport) .
- Certificate of registration issued by the Department of non-governmental organizations of the Council of Ministers if the international team doesn't have a branch inside Iraq registered as a foreign organization.
- other international bodies should obtain the approval of the Iraqi Foreign Ministry to be accredited as an international observation team
- Copies of the registration Forms 131-I and 132-I completed by the authorized representative and delivered by email or by hand to the National Office and Kurdistan Region Electoral Office (KREO).
- Once all documents have been submitted, the IHEC officer will assign a unique accreditation number to the observation team.
- The accreditation number of observation team will be written as follows: in the first part of the left, write the code of National Office or the code of KREO and then write the sequence number of the team in the record, as well as the number of diplomatic ID or passport of the authorized representative
- The application is approved once Form 131-I has been signed by the Director of the Public Outreach Department in the National

ترجم من قبل

حوراء رؤوف امين -مسؤول شعبة الترجمة التحريرية

Office or the KREO Manager, or other authorized officials by the IHEC.

Form 131/ (Registration Form of international observation team

For the purpose of completing the accreditation process, the observation teams should fill Part (A) of Form 131-I, sign it and submit it , Form 131/ can be obtained from the employee in charge in the IHEC National Office or the IHEC website .The employee then shall fill out the other fields related to the registration and accreditation process.

Form 132/ (Accreditation Form of international observation team)

Starting working on the accreditation Form 132/ that contains the names of the Observation team after obtaining the approval on its registration. It includes the following information

- The IHEC number of team registration ·
- The range of the serial numbers of the accreditation badges in the Form.
- The sequence number of observer for example (1,2,3,4..).
- The full name of the members of the team as it appears in the (passport or diplomatic ID).
- The position or job title of team member for example (observer, security personnel, translator).
- The serial numbers of spoiled badges ·
- The sequence of pages of the total number of pages in the Form 132/.

(Section Four)

Observers' Badges :

- 1- The total number of badges issued to a team should not exceed the number of name listed in the Form132/.

ترجم من قبل

حوراء رؤوف امين -مسؤول شعبة الترجمة التحريرية

- 2- Badges for international observers should be printed in Arabic, Kurdish, and English languages.
- 3- The observation teams shall be responsible for their own badges after receiving them from the IHEC and at all times.
- 4- The accreditation officer shall record the total number of badges issued to each team in the registry of international observations teams.
- 5- The accreditation officer shall stamp the valid badges.
- 6- The team's authorized representative shall confirm receiving the total number of badges in the Form131/.
- 7- It is prohibited to scratch and delete or use the white ink when filling in the badge with information. The badge is considered spoiled in such cases and doesn't fit to be used in the observation process when this occurs.
- 8- All the spoiled, damaged and unused badges shall be stored in safe place in the national office or in the (KREO) until the end of the electoral process.

Second- Registration and accreditation Reports of the International Observation Teams

- 1- The accreditation officer shall fill out all the data and information relating to the registration process of international observation.
- 2- A special Registry for the international observation teams shall be organized and kept in both the National Office and the KREO, which contains the following information:-
 - The sequence number of badges issued to each team for example (1, 2, 3, 4, 5... etc).
 - The full name of the international observation team.
 - The IHEC accreditation number of each team.
 - The type of team and the date of its accreditation.
 - The total number of observers.
 - The total number of the supported staff security personnel and translators in the team..etc.
 - The total number of issued valid badges.

ترجم من قبل

حوراء رؤوف امين -مسؤول شعبة الترجمة التحريرية

- Remarks related to the accreditation process.
 - Observation team can't receive more than one accreditation number
- 3- The Registry of international observation team shall be used as a basis for reporting on the international observers' accreditation process.
 - 4- The accreditation officer shall prepare the international observer accreditation report and submit it to the Director of Public Outreach Department or the KREO.
 - 5- The IHEC officer shall prepare a daily report on the accreditation process of the international observers and send it by email to the National Office\ Public Relations Section in order to be consolidated and send to the Board of Commissioners members and the chief electoral office daily during the accreditation period.

International Observation Teams Regulation No. (4) Of 2018

ترجم من قبل

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Pursuant to the authority granted to the Board of Commissioners in Article (4) Paragraph (8) of the Independent High Electoral Commission (IHEC) amended Law (11) of 2007, amended law of Iraqi Council of Representatives Election no. (45) Of 2013; and amended law no. (36) Of 2008 of the Provincial and districts Councils Elections.

(Preamble)

The IHEC has been established according to the amended Law no. (11) Of 2007, to be the only electoral authority in Iraq. The IHEC is professional, independent, and neutral body enjoys a judicial entity and is subject to the supervision of the Council of Representatives.

Part 1 Terminology

- 1- **The Commission:** The Independent High Electoral Commission (IHEC).
- 2- **The Board:** The IHEC Board of Commissioners (BoC).
- 3- **The National Office:** The IHEC's main office in Baghdad.
- 4- **The Regional Electoral Office:** the IHEC's office for Electoral Administration in the Kurdistan Region Electoral Office in Iraq (KREO).

- 5- **Electoral Observer:** A person who is registered within the Observation Teams accredited by the IHEC to monitor all the phase of the electoral process on behalf of the team.

ترجم من قبل

حوراء رؤوف امين - مسؤول شعبة الترجمة التحريرية

- 6- International Observation Teams:** It is the international governmental organizations such as the diplomatic bodies (Embassies and Consulates) and nongovernmental organizations, which include associations and organizations or other bodies that seeking to submit application for registration to participate in monitoring the electoral process.
- 7- Observers:** people who are nominated by the International Observation Team and are accredited by the IHEC to monitor the electoral process on behalf of it.
- 8- Code of Conduct:** The principles and obligations issued by the IHEC to ensure the implementation of electoral process in accordance with its applicable laws and regulations. observer teams should be committed to this code of conduct.
- 9- International Observers:** There are two categories:-
- People who are living outside Iraq and have been assigned to observe the electoral process on behalf of the international team.
 - People who are living in Iraq and representing foreign organizations that have branches inside Iraq ,or diplomatic bodies that have been nominated to monitor the electoral process on behalf of the parties they represent

Part 2

(Accreditation of Elections Observers)

Article: (1)

The IHEC shall register international observation teams to observe all the stages of electoral process after obtaining all the official approvals from the relevant authorities.

Article: (2)

All international bodies (Embassies, Consulates and Foreign Organizations or its branches and other Organizations and electoral

ترجم من قبل

حوراء رؤوف امين -مسؤول شعبة الترجمة التحريرية

administrative) which officially registered and based inside Iraq, have the right to request an application to register and accredit observers on behalf of them. The Chairperson of the BoC has the right to send invitations to a number of international organizations related to the electoral affair and observation, even if it were not registered by the authorized offices of the central government and the Kurdistan Regional government, provided that the presence of these organizations in Iraq are for the electoral purposes only.

Article (3):

The IHEC shall accredit the observation teams only. Individual observers cannot be accredited. Observation will not be allowed except for observers who are affiliated to a team of observers accredited by the IHEC.

Article (4):

The International observation teams shall be registered in the IHEC National Office or the Kurdistan Region Electoral Office (KREO) or any other place identified by the IHEC.

Article (5):

The International observation teams shall be nominated an authorized representative on behalf of the team under an official letter to undertake the accreditation and registration process.

Article (6):

A- International observers have the right to be accompanied by their translators and security personnel during the observation process to facilitate their work according to the provisions and procedures issued by the IHEC.

B- Any security personnel shall not be allowed to carry a weapon in a visible manner, or enter the polling centers and stations if

ترجم من قبل

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they were within safe areas identified by the IHEC.
C- The IHEC issues procedures to organize the registration and accreditation process of the International observation Teams.

Article (7):

It is stipulate to sign and commit the code of conduct of the observers for accreditation the observation teams which are responsible on the commitments of its observers with these code of conduct, the IHEC have the right to withdraw the registration or accreditation of any team or observer violating the code of conduct.

Part 3
(Principles of the observers Work)

Article (8):

The observation teams shall be committed to inform their accredited observers on the regulations, procedures and code of conduct that issued by the IHEC prior to start any of their activities.

Article (9):

Each observer shall sign his\her accreditation card upon receiving it, and hold another photo ID to enable the IHEC's staff to make sure of his\her identity.

Article (10):

ترجم من قبل

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The observers have no right to interfere or submit a complain under any situation in the electoral process but they have the right to notify the IHEC staff about an issues they want to discuss and can be mentioned it in their report that submit to their teams. The IHEC staffs are not eligible to take the issues in consideration.

Part (11):

The IHEC is not responsible for all other support measures and costs, related to the work of team and observer duties (transport, communications, and lodging) for international observer teams or any other costs.

Part 4

(Validity of Regulation)

This regulation is considered valid starts from the date of its ratification by the Board of Commissioners on / 1 / 2018

Board of Commissioners

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Code of Conduct of the Electoral Observers

To maintain a high level of professionalism and to apply the internationally acknowledge criteria, the activities practiced by the electoral observers are governed always by the five general principles as follows:

- 1- **Respect the laws and regulations:** Electoral Observers must abide and respect all the valid laws in Iraq under all circumstances.
- 2- **CONFIDENCE:** Electoral Observers shall be honest and confident when chosen by their representatives.
- 3- **Objectivity:** Observers should build their conclusions on the basis of a comprehensive and accurate review of all related facts and circumstances.
- 4- **Independence:** Observers shall be free when take a decision, without any interference and they should work within the supremacy of law.
- 5- **Impartiality:** All observers should be admitted the interest of the electoral process, the essential values of democracy , protect , and make them the priority above any self-interest or political preference.

All observers shall review and commit the following Code of Conducts and a pledge:

As I am an observer, I shall commit the right acts which fit with the IHEC applicable laws, regulations and instructions, in addition to depend on the objectivity in seeking for the facts, impartiality and independence duty that represented in the following:

- a- Observing the electoral process closely.

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- b- Contacting with IHEC's official to obtain sufficient information about the electoral process.
- c- Sending a report to the IHEC in case any problem may occur during the observation process.
- d- Accessing and exiting to the polling center freely without affecting the course of work.
- e- Sending a comprehensive report to my own observation team about electoral process.

When I work as an observer I shall consider the following issues:

- 1- Committing the valid local laws and regulations issued by the IHEC.
- 2- Refrain from carrying weapons or acting impolite or aggressive.
- 3- Refrain from any support and non-aligned towards any political party or candidate competed in the elections.
- 4- Refrain from accepting any presents or services from any political party or candidate
- 5- Refrain from interfering under any case in the IHEC's activities or political parties or citizens or any political matter in the country.
- 6- Implement duties in a practical and peaceful manner and respect the role status and powers of the IHEC staff concerning the voters, security officials and everyone involved in the election.
- 7- Compliance with the rules and instructions issued by the IHEC strictly, including any request to leave the area or specific location or prevent access or leave the polling center.
- 8- Refrain from interfering in the electoral process or obstructing it.

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- 9- Hold and present the accreditation card as an observer and show it clearly to introduce myself to the IHEC staff when entering the polling stations and centers, or any building belonging to the IHEC.
- 10- Respect the secrecy of voting, this includes entering to the voting cabinet.
- 11- Refrain from contacting the voters or influence on their wills.
- 12- Avoid any attempt to provide any evidence or information to the participants in the electoral process.
- 13- Verification that all the information submitted is based on a direct and reliable source and can be verified, in addition to collect, organize and prepare a well organized and unequivocal report.
- 14- Avoid any announcement or comment about the election results before the official results announcement by the IHEC.

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