# DPR KOREA FOOTBALL ASSOCIATION ELECTORAL CODE

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## DEFINITIONS

The terms given below denote the following:

**FIFA:** Fédération Internationale de Football Association.

**AFC:** Asian Football Confederation.

**DPRKFA:** DPR Korea Football Association.

**Member:** a legal person that has been admitted into membership of DPRKFA by the Congress.

**Congress:** the supreme and legislative body of DPRKFA.

**Executive Committee:** the strategic and executive body of DPRKFA.

**NB:** Terms referring to natural persons include both genders. Any term in the singular applies to the plural and vice-versa.

## Article 1 Scope of application

1 This Electoral Code is applicable to the elections of the members of the Executive Committee, judicial bodies, electoral committees and Audit and Compliance Committee as defined in the Statutes of DPR Korea Football Association (DPRKFA).

2 This Electoral Code is also applicable to the elections of the members of the relevant bodies of the Members of DPRKFA, if their statutes specifically stipulate this. The statutes of the Members of DPRKFA shall define the exact scope of application of this Electoral Code and in particular if the Electoral Committee of DPRKFA shall supervise the relevant electoral process.

## Article 2 Principles and obligations

1 General good governance principles, such as separation of powers, independence, transparency, obligation to avoid situations of conflicts of interest shall be observed without exception throughout the entire electoral process.

2 The electoral rules and guidelines shall be made available by DPRKFA in a clear and unambiguous manner within the relevant timeframe provided for in the Statutes of DPRKFA.

3 Undue influence from third parties of any kind in the electoral process shall not be permitted.

4 DPRKFA shall ensure that this Electoral Code is in line with the provisions of the Statutes of DPRKFA as well as the Statutes, regulations, directives and decisions of FIFA and the AFC.

5 DPRKFA shall, at least thirty (30) days before the date of the relevant elections, inform FIFA and the AFC about the nature of the elections (i.e. number of members to be elected, duration of mandates and reason for the elections, etc.) and provide FIFA and the AFC with a copy of its valid Electoral Code.

6 DPRKFA shall immediately inform FIFA and the AFC of any undue influence from third parties in the electoral process.

7 Unless stated otherwise in the Statutes and regulations of DPRKFA, the members of the relevant bodies of DPRKFA shall continue to exercise their functions until the completion of the electoral process.

## Article 3 Basic principles

1 The Electoral Committee shall supervise the electoral process in accordance with the relevant provisions of the Statutes of DPRKFA and of this Electoral Code.

2 The members of the Electoral Committee may not hold any executive position in any government body. Members of the Electoral Committee may not be candidate for any of the positions to be filled within DPRKFA as long as they are still under mandate.

3 The members of the Electoral Committee shall immediately withdraw from the matter in progress and refrain from taking any decision if:

a) they are an immediate family member of one of the candidates running for any of the positions to be filled;

b) there is a risk or possibility of a conflict of interest as defined in the Disciplinary and Ethics Code of DPRKFA.

4 In the event that a member of the Electoral Committee does not fulfil any of the above requirements and/or has to step down as member of the Electoral Committee for any reason, he shall be replaced in accordance with the provisions of art. 4 par. 3 of this Electoral Code.

5 The members of the Electoral Committee shall be appointed by the Congress of DPRKFA for a mandate of four (4) years.

6 No member of the Electoral Committee shall serve for more than three (3) terms of office, whether consecutive of not.

7 The members of the Electoral Committee shall act in good faith at all times and observe the utmost impartiality when carrying out their duties.

## Article 4 Composition

1 The Electoral Committee shall be composed as follows:

a) a chairperson;

b) a vice-chairperson;

c) three (3) ordinary members.

2 Three (3) substitutes may also be appointed by the Congress of DPRKFA.

3 If the chairperson is absent or unavailable, his position shall be filled by the vice-chairperson or by an ordinary member if the vice-chairperson is also absent or unavailable. Any ordinary member who is absent or unavailable shall be replaced by a substitute.

4 The Electoral Committee shall appoint a secretary from among its members, who shall be responsible for the related logistical matters and who shall take care of administrative matters. He may call upon the general secretariat of DPRKFA to assist him in his duties.

5 The chairperson of the Electoral Committee shall be qualified to practice law.

## Article 5 General duties of the Electoral Committee

The Electoral Committee shall be responsible for all tasks relating to the organisation, running and supervision of the elections to take place during a Congress. In particular, the Electoral Committee is responsible for:

a) strictly enforcing the Statutes and regulations of DPRKFA as well as this Electoral Code;

b) ensuring that the electoral rules and guidelines of the bodies of DPRKFA are in line with the provisions of this Electoral Code and the Statutes of DPRKFA as well as the Statutes, regulations, directives and decisions of FIFA;

c) strictly enforcing the statutory deadlines for elections;

d) providing information to the Members of DPRKFA as well as to relevant government authorities (where necessary), the media and the public;

e) where necessary, managing relations with the relevant government authorities;

f) the candidature procedure (launch, distribution of information, evaluation, publication of official list, etc.);

g) drawing up the list of voters (delegates), assisted by the general secretariat of DPRKFA, in accordance with the statutory provisions of DPRKFA;

h) verifying the identity of the voters (delegates) in consultation with the public notary appointed for this purpose;

i) the electoral and voting procedure;

j) any and all other tasks to ensure the smooth running of the electoral process.

## Article 6 Meetings, quorum and decisions

1 The chairperson shall convene the meetings of the Electoral Committee. Only an Electoral Committee that has been duly convened has the authority to deliberate and pass decisions.

2 The Electoral Committee shall not engage in valid debate unless a majority (more than 50%) of its members are present.

3 The Electoral Committee shall reach its decisions by a majority (more than 50%) of the valid votes cast. Voting by proxy or by letter is not permitted. In the event of a tied vote, the chairperson shall have the casting vote.

4 The decisions taken shall be recorded in minutes signed by the chairperson and by the secretary of the Electoral Committee.

## Article 7 Eligibility criteria

1 The eligibility criteria for the positions to be filled within the relevant bodies of DPRKFA are defined in the relevant provisions of the Statutes of DPRKFA.

2 The Electoral Committee shall not impose any eligibility criteria or other formal requirements that are not provided for in this Electoral Code and the Statutes of DPRKFA. The Electoral Committee shall only request the documents that help establish whether the relevant eligibility criteria have been fulfilled.

3 The Electoral Committee shall publish the full list of eligibility criteria (with reference to the relevant provisions of the Statutes of DPRKFA) as well as the documents to be provided for each of the position.

## Article 8 Submission and examination of candidatures for the Executive Committee

1 Candidatures for any of the positions of the Executive Committee shall be sent by recorded post or delivered by hand to the general secretariat of DPRKFA at least fifty (50) days before the relevant elective Congress. Candidatures received by the general secretariat shall immediately be forwarded to the secretary of the Electoral Committee.

2 Within three (3) days of the deadline for their submission, the Electoral Committee shall inform candidates who have failed to provide all the relevant documents in support of their candidatures and grant them another five (5) days to complete their applications. If the relevant candidates fail to complete their applications within the prescribed deadline, their candidatures shall be declared invalid.

3 The candidatures for the Executive Committee of DPRKFA shall be examined by the Electoral Committee within 15 (fifteen) days of the deadline for their submission and the candidates shall be informed of the decision of the Electoral Committee within the same period.

## Article 9 Appeal procedure for candidates for the Executive Committee

1 Appeals against decisions of the Electoral Committee may be lodged only with the Election Appeal Committee, to the exclusion of the possibility of appealing said decisions before any other body, particularly a government body.

2 Any appeal, duly motivated, shall be sent by recorded post or delivered by hand to the general secretariat of DPRKFA within five (5) days of receipt of the decision of the Electoral Committee. Appeals received by the general secretariat shall immediately be forwarded to the members of the Election Appeal Committee.

3 The Election Appeal Committee may decide to accept fresh evidence and documents that were not provided by the relevant candidate together with the initial candidature.

4 Appeals shall be considered by the Election Appeal Committee within seven (7) days of their receipt and communicated to the candidates within the same period.

5 The Election Appeal Committee shall be composed of a chairperson and two (2) ordinary members who shall be appointed by the Congress of DPRKFA. Two (2) substitutes may also be appointed by the Congress at the same time as the members of the Election Appeal Committee. The chairperson shall be qualified to practice law.

6 The decisions of the Election Appeal Committee shall be final and binding.

## Article 10 Procedure for candidates for other bodies of DPRKFA

1 Candidatures for any of the positions of the judicial bodies, electoral committees and Audit and Compliance Committee of DPRKFA shall be sent by the Executive Committee to the general secretariat of DPRKFA at least fifty (50) days before the relevant elective Congress.

2 Within fifteen (15) days of receipt of the candidatures, the Electoral Committee shall confirm to the general secretariat whether the formal requirements for the relevant positions are fulfilled. In the event that one or more candidates cannot be validated, the Executive Committee shall propose additional candidatures for the relevant positions.

3 Elections of the members of such other bodies may be conducted en bloc. At the start of the elective Congress, the delegates shall be provided with the relevant ballot papers containing the lists of the candidates for the bodies in question.

4 During the elections of such members, the delegates shall remain at their seats and shall cast their vote into a mobile ballot box that shall be carried from seat to seat by one of the scrutineers and supervised closely by one member of the Electoral Committee.

5 Once all the delegates have deposited their ballot papers in the mobile ballot box, the Electoral Committee shall proceed with the count in front of all the delegates and the results shall be announced to the Members of the Congress.

## Article 11 Official list of candidates

1 The official list of candidates for all the bodies of DPRKFA shall be sent to the Members of DPRKFA at least twenty (20) days before the elective Congress.

2 Where necessary, the official list of candidates may also be sent to the relevant government authorities for information.

## Article 12 Convocation of the elective Congress

The elective Congress of DPRKFA shall be convened according to the provisions of the Statutes of DPRKFA.

## Article 13 Duties of the Electoral Committee during the elective Congress

During the elective Congress, the duties of the Electoral Committee shall be as follows:

a) verify the identity of the voters (delegates);

b) monitor the electoral procedure during the Congress;

c) count the ballot papers;

d) take any decision regarding the validity or invalidity of ballot papers;

e) pass a definitive decision on any matters relating to the electoral procedure during the electoral Congress;

f) declare the official results;

g) organise and hold a media conference, where necessary.

## Article 14 Ballot papers

1 The general secretariat shall produce the ballot papers under the supervision of the Electoral Committee. The ballot papers shall be printed clearly and legibly.

2 The ballot papers shall be of a different colour for each round of the election.

## Article 15 Ballot box

1 Before the start of the voting procedure, the ballot box – which shall be transparent if possible – shall be opened and presented to the delegates of the Congress. The ballot box shall then be closed and placed in a visible spot close to the members of the Electoral Committee.

2 During the entire voting process, the ballot box shall be monitored by one of the members of the Electoral Committee.

## Article 16 Casting of ballots

[1] Before the delegates are requested to cast their vote, the chairperson of the Electoral Committee shall explain in detail the electoral procedure (ballot box, ballot papers, valid and invalid ballot papers, count, required majorities, results, etc.) and refer to the relevant statutory provisions.

[2] The chairperson of the Electoral Committee shall call in turn each delegate of the Members present and eligible to vote to move to the front of the Congress hall where the election is taking place.

[3] Once called, the relevant delegate moves to the front of the Congress hall and, after signing the receipt of ballot paper form, receives his ballot paper.

[4] The delegate then completes his ballot paper in the designated place. No cell phones, cameras or any other recording devices shall be allowed when completing the ballot paper.

[5] The delegate then deposits his ballot paper in the ballot box, signs the electoral register and then returns to his seat.

[6] The counting procedure begins as soon as all of the delegates have deposited their ballot papers in the ballot box. A member of the Electoral Committee opens the ballot box and tips out the ballot papers in front of all the delegates.

[7] The count then commences.

## V. COUNT

### Article 17 General principles

1 Only the members of the Electoral Committee shall take part in the count of the ballot papers. All operations (opening the ballot box, counting the ballot papers, counting the votes, etc.) shall be carried out in a way that can be followed clearly by all the delegates of the Congress.

2 In the event of a dispute regarding the validity or invalidity of a ballot paper, the validity or invalidity of a vote, the drafting of the minutes, the declaration of the results or any other matter relating to the counting procedure, the decision of the Electoral Committee shall be final.

### Article 18 Invalid ballot papers

1 The following ballot papers are considered invalid:

a) ballot papers that do not bear the official distinctive marks defined by the Electoral Committee;

b) ballot papers that bear any words other than the names of the candidates;

c) ballot papers that are illegible or have been defaced;

d) ballot papers that bear identifying marks.

2 The chairperson of the Electoral Committee shall write on the back of any invalid ballot paper the reason(s) for its invalidity and confirm with a signature.

### Article 19 Count and declaration of results

1 Once the ballot box has been opened, the members of the Electoral Committee shall count the number of ballot papers and verify their validity. If the number of ballot papers is equal to or less than the number of ballot papers issued, the ballot is valid. If it exceeds the number of ballot papers issued, the ballot shall be declared void and recommence immediately in accordance with the procedure described above.

2 After the number of ballot papers has been verified, the members of the Electoral Committee shall proceed to count the number of votes cast for each different candidate or for each different list.

3 If a second (or subsequent) round of voting is required, the voting procedure shall be repeated in accordance with the above articles. The Members of the Congress are also to be informed of the statutory provisions that apply for the second (and subsequent) rounds of voting (e.g. any changes to the majority required, elimination of candidates, etc.).

4 After each round of the election, the chairperson of the Electoral Committee shall declare the results officially to the Members of the Congress.

5 The ballot papers that have been collected and counted shall be put into envelopes intended for this purpose, which shall then be signed by the Chairperson of the Electoral Committee and sealed. The general secretariat shall keep these envelopes and destroy them ten (10) days after the end of the Congress.

## Article 20 Archiving of documents and confidentiality

1 The Electoral Committee and the Election Appeal Committee shall hand over all official documents as well as all documents provided to them during the electoral process to the general secretariat, which shall be responsible for archiving them.

2 The members of the Electoral Committee and of the Election Appeal Committee shall maintain absolute confidentiality and secrecy with respect to any and all information and documents made available to them during the course of the electoral process.

## Article 21 Matters not provided for

1 All matters relating to the administrative and technical organisation of the elective Congress that are not covered by this Electoral Code or by the Statutes and regulations of DPRKFA shall be ruled upon by the Electoral Committee, whose decision shall be final.

2 All matters relating to the running of the elections that are not covered by this Electoral Code or by the Statutes and regulations of DPRKFA shall be ruled upon by the Electoral Committee, whose decision shall be final.

## Article 22 Enforcement

This Electoral Code was adopted at the Congress of DPRKFA in Pyongyang on 21 September 2020 and comes into force in accordance with art.34 of the Statutes of DPRKFA.

For DPR Korea Football Association

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