Electoral Code of the Iraqi Football Association

2021 edition

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DEFINITIONS

Whenever relevant, the terminology used in this Electoral Code shall refer to the terms defined in the Definitions section of the Statutes of IFA.

NB: Terms referring to natural persons are applicable to 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 and of the independent committees as defined in the Statutes of IFA.

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

Article 2 Principles and obligations

1 General good governance principles, such as the separation of powers, independence, transparency, and the 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 IFA in a clear and unambiguous manner within the relevant time frame provided for in the Statutes of IFA.

3 Any undue influence from third parties in the electoral process shall not be permitted. Government rules on elections shall not apply to the elected bodies of IFA and the electoral rules of the IFA- as well as any outcome of a vote- shall not require the approval of any government body.

4 IFA shall ensure that any electoral rules and guidelines of its bodies are in line with the provisions of this Electoral Code, the Statutes of IFA as well as the Statutes, regulations, directives and decisions of FIFA and the AFC.

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

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

7 Unless stated otherwise in the Statutes and regulations of IFA, the members of the relevant bodies of IFA 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 IFA and of this Electoral Code.

2 The members of the Electoral Committee shall not be members of any other body of IFA and may not hold any executive position in any government body. Members of the Electoral Committee may not be candidates for any of the positions to be filled within IFA 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 IFA.

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 elected by the Congress, in accordance with the provisions of the Statutes of IFA, for a mandate of four years.

6 No member of the Electoral Committee shall serve for more than three terms of office, whether consecutive or 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 deputy-chairperson;

c) 1 ordinary member.

2 2 substitutes shall also be elected by the Congress.

3 If the chairperson is absent or unavailable, the deputy chairperson shall deputise, and if he too is absent or unavailable, then an ordinary member shall deputise. Any ordinary member who is absent or unavailable shall be replaced by a substitute.

4 The Electoral Committee shall appoint one of its members as a secretary, who shall be responsible for relevant logistical and administrative matters. He may call upon the general secretariat to assist him in his duties.

5 The chairperson and deputy chairperson of the Electoral Committee shall be qualified to practise law.

6 All members of the Electoral Committee shall be resident in Iraq and possess Iraqi nationality. All members shall be no older than 75 years old and no younger than 35 years old.

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 the Congress. In particular, the Electoral Committee shall be responsible for:

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

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

c) strictly enforcing the statutory deadlines for elections;

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

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

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

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

h) verifying the identity of the voters (delegates) under the supervision of 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 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 IFA are defined in the relevant provisions of the Statutes of IFA.

2 The Electoral Committee shall not impose any eligibility criteria that are not provided for in the Statutes of IFA or any other formal requirements that are not provided for in this Electoral Code or in the Statues of IFA. 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 IFA), as well as the documents to be provided for each of the positions within the deadlines stipulated in the Statutes of IFA.

Article 8 Submission and examination of candidatures for the Executive Committee

1 No fees or charges of any sort shall be requested from any of the candidates at any point during the entire electoral procedure, unless they have previously been approved by the Congress. In any event, any fees or charges agreed upon shall remain reasonable and shall only serve to cover the costs of the relevant administrative burden.

2 Candidatures for any of the positions of the Executive Committee shall be sent by recorded post, by email with delivery notification, or delivered by hand in exchange for confirmation of receipt, to the general secretariat at least forty- five (45) days before the relevant elective Congress. Candidatures received by the general secretariat shall immediately be forwarded to the secretary of the Electoral Committee as well as to the Audit and Compliance Committee for the relevant integrity checks to be carried out as per Annexe A of the Statutes of IFA.

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

4 The candidatures for the Executive Committee shall be examined by the Electoral Committee within ten (10) 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 Electoral Appeal Committee, thereby precluding 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 in exchange for confirmation of receipt, to the general secretariat within three (3) 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 Electoral Appeal Committee.

3 The Electoral 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 Electoral Appeal Committee within four (4) days of their receipt and communicated to the candidates within the same period.

5 The Electoral Appeal Committee shall be composed of a chairperson, a deputy-chairperson and one ordinary member. Two substitutes shall also be elected by the Congress at the same time as the members of the Electoral Appeal Committee. The chairperson and the deputy- chairperson shall be qualified to practise law.

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

Article 10 Procedure for candidates for other bodies of IFA

1 Candidatures for any of the positions of all other bodies of IFA (Audit and Compliance Committee, electoral committees and judicial bodies) shall be sent by the Executive Committee to the general secretariat at least forty- five (45) days before the relevant elective Congress. Candidatures received by the general secretariat shall be immediately forwarded to the Electoral Committee as well as to the relevant body in charge of carrying out the integrity checks.

2 Within ten (10) days of receipt of the candidatures, the Electoral Committee shall confirm to the general secretariat whether the formal requirements for the relevant positions have been fulfilled. In the event that one or more candidates cannot be validated, the Executive Committee shall propose additional candidates 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 using a mobile ballot box that shall be carried from seat to seat by one of the scrutineers and supervised closely by a member of the Electoral Committee. The delegates shall confirm with signatures upon receipt of ballot papers and that they have cast their ballot papers into the mobile ballot box.

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.

Article 11 Official list of candidates

1 The official list of candidates for all the bodies of IFA shall be sent to the Members at least fifteen (15) days before the elective Congress.

2 The official list of candidates shall also be published in the press and, where necessary, sent to the relevant government authorities for information.

IV. VOTING PROCEDURE

Article 12 Convocation of the elective Congress

The elective Congress shall be convened according to the provisions of the Statutes of IFA. The relevant deadlines in relation to the elective Congress shall be published in the press and, where necessary, communicated to the relevant government authorities.

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) verifying the identity of the voters (delegates);

b) monitoring the electoral procedure during the Congress;

c) counting the ballot papers;

d) taking any decisions regarding the validity or invalidity of ballot papers;

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

f) declaring the official results;

g) organising and holding 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.

3 The ballot papers shall contain the full names of the candidates running in the relevant elections with a corresponding box for each of the candidates.

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 shall move to the front of the Congress hall and, after signing receipt of the ballot paper form, receive his ballot paper.

4 The delegate shall then complete his ballot paper in the polling booth designated for this purpose. The polling booth shall be placed in a visible spot, but still allow the delegate to cast his vote secretly. No mobile phones, cameras or any other recording devices shall be allowed in the polling booth.

5 The delegate shall then deposit his ballot paper in the ballot box, sign the electoral register and return to his seat.

6 The counting procedure shall begin as soon as all of the delegates have deposited their ballot papers in the ballot box. A member of the Electoral Committee shall open the ballot box and tip out the ballot papers in front of all the delegates.

7 The count shall then commence.

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 or 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 candidate or 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 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 officially declare the results to the Members.

5 The General Secretary shall put the ballot papers that have been collected and counted into envelopes intended for this purpose. The envelopes shall then be signed by the chairperson of the Electoral Committee and sealed. The general secretariat shall keep these envelopes and destroy them twenty- four (24) months after the Congress.



V. FINAL PROVISIONS

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 information and documents made available to them during the

course of the electoral process. Such obligation shall remain for an indefinite period following the relevant electoral process. Furthermore, they shall not retain any documents (electronic or otherwise) supplied to them during the electoral process.

Article 21 Public notary

A notary or a person of equivalent legal status recognised by the courts shall attend the Congress and draw up the minutes of the elections according to the provisions of national law. He shall be specifically responsible for verifying the identity of the delegates and ensuring compliance with the voting procedure.

Article 22 Matters not provided for herein

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 IFA 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 IFA shall be ruled upon by the Electoral Committee, whose decision shall be final.

3 FIFA has the right to intervene in the electoral processes of the association and at any time to monitor its integrity and check that this code and the statutes and regulations of FIFA are being applied.

IRAQI FOOTBALL ASSOCIATION

Article 23 Enforcement

This Electoral Code was adopted at the Extraordinary Congress in Baghdad on 4-4-2021 and comes into force on 4-4-2021.

Baghdad, 4-4-2021

For Iraqi Football Association

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