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* The Constitutional Principles Related to the Presidential Election of the Islamic Republic of Iran

Article 6

The country’s affairs In the Islamic Republic of Iran must be regulated and relied on the public votes and through elections; the election of the president, the representatives of the Islamic Consultative Assembly [Majles], the council members, and similar cases are determined through elections or through a referendum in cases that they have been determined in other articles of this law.

Article 99

The Guardian Council has the responsibility of supervising the Assembly of Experts of the Leadership elections, the presidential and the Islamic Consultative Assembly elections, and conducting plebiscite and referendum.

(The interpretation of Article 99 “the Guardian Council’s Opinion Number: 1234 dated: 22 May 1991”):

((With regards to Article (99) of the Constitution, the above-mentioned supervising responsibility is Estesvabi [proactive supervision: meaning that in addition to observation, the supervision includes the right to make legally binding interventions], and includes all administrative stages of the election such as validating or invalidating the credentials of the candidates.))
Article 110

The leader’s duties and authority

1 – Determining the general policies of the Islamic Republic of Iran after consulting the Expediency Council of the System.
2 – Monitoring the general policies of the system ensuring properly implementation.
3 – To order a referendum.
4 – Commander in chief of the armed forces.
5 – Declaring war, peace, and deployment of forces.
6 – Appointing, dismissing, and accepting following individuals’ resignation:
   A – The jurisconsults of the guardian council.
   B – The highest-ranking Judiciary official.
   C – The head of the Islamic Republic of Iran Broadcasting.
   D – The chairman of the Joint Chiefs of Staff.
   E – The commander of the Islamic Revolutionary Guard Corps
   F – The commander of the Military and Law Enforcement forces

7 – Dispute resolution and regulating the relations between the three branches [of the government].
8 – Resolving the problems of the system, the ones not solvable in a normal way, through the Expediency Council of the System.
9 – Signing presidential decree after the president is elected by people. With regard to the stipulations which have come in this law, the presidential candidates’ credentials must be validated by the Guardian Council before the election and by the leader during the first round.
10 – Dismissal of president considering the country’s interests, after a verdict being issued to president by the country’s Supreme Court for violating his legal duties; or a verdict against him issued by the Islamic Consultative Assembly for his incompetency according to the Article 89.

11 – Amnesty for convicts or extenuation of their crimes within the boundary of the Islamic standards after a proposal is being made by the Judiciary. The leader is able to delegate some of his duties and powers to other person.
Article 113

President is the highest-ranking official after the leader and has the responsibility of implementing the Constitutional law; he has also the responsibility of heading the Executive Branch except in the affairs which are directly related to the leader.

Article 114

President is elected for a four-year term through people directly cast their ballots and he can be re-elected consecutively only once.

Article 115

The president must be elected from amongst religious and political figures who meet the following criteria:

Must be of Iranian origin,

Must have the ability of management and leadership,

Must have a good reputation, trustworthiness, and piety,

Must be faithful and believe in foundation of the Islamic Republic of Iran and the official religion of the country.

Article 116

Presidential candidates must officially announce their readiness for standing in the election. Law determines the method of conducting the election.

Article 117

President will be elected with absolute majority vote of the participants; but if no one receives such majority during first round, the election will proceed to a second round on the Friday of the following week. Only two candidates who receive the highest number of votes in the first round will enter the second round. But if some of the candidates who received the highest number of votes give up on participating in the election, two individuals who received the highest number of votes in the first round, comparing to other candidates will be introduced for a run-off.
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(The interpretation of Article 117 “the Guardian Council’s opinion number 2764 dated: 26 June 1985”):

“in the second round, two individuals who have the highest number of votes would be elected. Finally, based on the Electoral Law, the votes of others -- not the two individuals -- will be announced as voided; in this case, the one obtaining the majority of votes has been elected as the one entitled to winning the absolute majority of votes; and if the votes of others are counted in the total vote counts, the elected one has been elected based on a relative majority of votes; in either case, the result would be the same, and the one from the two individuals who receives the highest number of votes would be elected, and re-election will be illegal afterward.”

Article 118

According to Article 99, the Guardian Council has the responsibility of supervising the presidential election, but before the formation of the first Guardian Council, the responsibility would be on the Supervisory Board [for Election] that the law determines that.

Article 119

Election of the new president must have been taken place at least a month before the end of previous presidential election term, and the old president performs the presidential duties during the time between the election of the new president and the end of his term.

Article 120

When one of the candidates, whom his qualifications has been attained according to this law, passes away during the 10 days period before the poll starts, the election will be postponed for two weeks. If one of the two individuals, receiving the majority vote from the first round, dies during the time period between the first round and the second round, the election time will be extended for two weeks.

Article 121

In a meeting that is held in the presence of the head of the Judiciary and the members of the Guardian Council in the Islamic Consultative Assembly [parliament], the president takes oath and signs the presidential proclamation as shown below:

In the name of God

“As the president, I do solemnly swear to the Omnipotent God before the benevolent Koran and the nation of Iran that I will safeguard the official religion of the country, the Islamic republic system, and the country’s Constitution; and use all my abilities and competencies toward the performance of the duties for which I have taken the responsibly; and devote myself to serving people, elevating the country, promotion of the religion and moralities, supporting righteousness and developing justice; and avoid any type of authoritarianism; and support individuals’ freedom, sanctity, and the rights which the
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Constitution has recognized for people; and to spare no effort to safeguard the country’s borders, and political, economic, cultural independence; and like a pious and a devoted trustee, preserve the sanctity of the authority vested in me by the nation through seeking assistance from God, and following orders from the Islam Prophet [Muhammad] and the immaculate Imams; and to pass on the trust to person elected after me by the nation."

In cases of president’s death, dismissal, resignation, absence, president’s illness for a period more than two months, or in case that presidential term has ended, but, the new president has not yet been elected due to some obstacles or other affairs, the first vice-president assumes the president’s powers and duties with the approval of the leader; and a council comprising the chairman of the Majles, the chairman of the Judiciary, and the first vice-president is required to make arrangements for election of the new president at the latest in 50 days. The supreme leader will appoint another individual in case the first vice-president dies or other affairs prevent him from performing his duties; or if the president does not have a vice-president.

The Islamic Republic of Iran’s Presidential Election Law

Chapter I - An Overview of the Principles

Section 1 - The President of Iran is elected for a four-year term and its term starts from the date that the presidency is endorsed on an endorsement decree by the supreme leader.

Section 2 - The presidency endorsement decree is prepared by the Guardian Council and offered to the supreme leader.

Section 3 – In cases other than those specified in the Article (131) of the Constitution, the Ministry of Interior is required to make preparation for the conduct of the election at least five months before the end of four-year presidential term; and with respect for the Article (119) of the Constitution of the Islamic Republic of Iran, the Interior Ministry is required to inform public about the process of conducting election as well as the registration date for the presidential candidates through public media.

1.
Section 4 – In the event that a government employee is elected as a president, his or her presidency years of service will be considered as his or her years of previous employment history.

Section 5 – In the event that the Guardian Council invalidates or stops the presidential election across the country due to some reasons, the Interior Ministry will act upon launching a new election at the first appropriate time after getting opinion from the Guardian Council.

Section 6 – With the approval of the Interior Minister, the caretaker of the Interior Ministry will be the replacement for the Minister of Interior and the caretakers of the Governor-general’s Office, the Governor Office, and the District- Governor Office will be the replacements for the governor-general, the governor, and the district governor.

According to the legislated law, dated 15 Jan 2013, the existing context in Section (3) replaced the previous context which was as follows:

Section 3 – The Ministry of Interior is required to make preparations for the next election three months before the end of four-year presidential term; and with respect for Article (119), (131) of the Constitution, inform public about the process of conducting election as well as the registration date for the presidential candidates through public media.

Section 7 – The executive bylaw of the presidential election will be drafted by the Ministry of Interior and will be implemented upon approval by the cabinet ministers.

Section 8 – It is the responsibility of the Guardian Council to supervise the presidential election. This supervision is general occurs during all stages and regarding all affairs of an on-going election.

Section 9 - During all stages of the election, if the votes in all or some counties of a province are counted by an electronic vote counting machine, the election computer system must be designed and operated in a way that no one can have access to its hardwares and softwares without the presence of the representatives of the Guardian Council. The necessary decisions will be made jointly by the Guardian Council and the Interior Ministry in order to protect the softwares and hardwares; and all software copies would be validated and sealed (lock for software’s program) by the Guardian Council before the election until the agreed upon time to be installed and launched on the computer systems of each constituency, with the presence of the representatives of the Guardian Council and the Ministry of Interior. The Guardian Council must be informed about any kind of change made to the softwares.

Chapter 2 - The Quality of Election
Section 10 – The elections will be a direct election kind in which public cast their ballots\(^4\).

Section 11 - When one of the candidates -- whom his qualifications has been attained in accordance with this law -- passes away 10 days before the election, the election will be postponed for two weeks.

Section 12 – The election of president is carried out based on an absolute majority of votes.

\(^2\)The phrase "if the votes in all or some counties of a province are counted by an electronic vote counting machine" was appended pursuant to the law legislated 18 May 1993.

\(^3\)Section (9) was appended pursuant to law legislated 6 Apr 1993.

\(^4\)Pursuant to the law legislated 6 Apr 1993 – and by adding Section (9) -- the old Section (9) was replaced by Section (10), and the old Section (10) was omitted; below is content of the old Section (10):

((Section 10 – The time period for holding the presidential election, from the start of election order’s issuance date until the polling day, will be total of 30 days.

Section 13 – If no candidate has gained an absolute majority of votes in the first round then it proceeds to a second round; meaning that the two candidates who received the most votes in the first round will proceed to the second round.

Section 14 - The second round of election will be held on the Friday of the following week.

Section 15 – This section became outdated\(^5\).

Section 16 - If one of the two candidates who received the highest number of votes in the first round passes away, the election time will be extended for two weeks.

Section 17 – The Interior Ministry will issue an order to obliterate the voting papers and ballots after it receives the Guardian Council’s opinion indicating the end of the election and the supreme leader endorses the presidential decree.

Section 18 – This section became outdated\(^6\).

Section 19 - In each presidential election stage, any eligible individual can vote only one time by presenting his or her birth certificate\(^7\) and national identification\(^8\) card.\(^9\)
Pursuant to the law legislated 23 Jan 1992 (the directive from the Expediency Discernment Council of the System in regards to the consolidation of the number of the candidates in the election), Section 15 below became outdated:

((Section 15 – In the event that during any round of the presidential election only one nominee is left in the election list of candidates due to any reason, the order for restarting the election process will be issued immediately.))

Pursuant to the law legislated 15 Jan 2013, Section 18 below was omitted:

((Section 18 – The Interior Ministry would inform the public about the general results of the election through public media after receiving the vote count results of inside and outside the country.))

Considering the amendment to the Inquiry Legislation dated 30 May 2001, it would not be necessary to have a pictured birth certificate; and the birth certificate by itself would be valid enough.

Pursuant to the law legislated 15 Jan 2013, the term "and the National Identification Card" will be added after the term "birth certificate," in both Section (19) of the legislation and its amendment.

Pursuant to the law legislated 6 Apr 1991, the Amendments (1) and (2) below were omitted:

((Amendment 1 – In places such as battle line, garrisons, hospitals, hospices, and prisons, the voters are able to vote only with an identification card related to the place and with the approval of the responsible official in the place.

Amendment 2 – The immigrants of the imposed war who do not hold a birth certificate card will be able to vote only with certified identification card from the Foundation for the Migrants of the Imposed war.

Amendment – Voters outside the country will be able to vote with a valid Iranian passport if they do not hold a birth certificate or a national identification card.

Sections 20 – Votes inside and outside the country are taken on the same day and it will be carried out over the course of 10 hours, and extended if necessary.

Amendment 1 – It is the responsibility of the Interior Minister to determine whether or not it is necessary to extend the election across country and that to determine for how long it should be extended.

Amendment 2 – Voting must take place on Friday.

Section 21 – All ministries, government organization and agencies, and institution affiliated with the government and revolutionary institutions are required to make their personnel and other facilities available to the Ministry of Interior, governor-generals, governors and district governors until the end of election upon a request made by them. Apparently, their cooperation will be considered as their work history.

Amendment – All of the above-mentioned institutions and organizations are required to make their personnel available to the Guardian Council upon its request or a request on behalf of its appointed boards; and the Ministry of Interior, governor-generals, governors, and district governors are also required to make their facilities available to them [the Guardian Council and its appointed boards].
Section 22 – The presidential election and the City and Village Councils elections will be held concurrently. The Ministry of Interior is also required to make the necessary preparations for the council election and if another election is held simultaneously, the ministry should assign separate ballot boxes at each registration branch and poll having the same members.

Amendment – If the presidential term ends earlier than the end of the four-year term due to causes previously mentioned in Article (131) of the Constitution, the Majles makes a decision on whether to hold the City and village Council election and the presidential election concurrently through either cutting or extending the duration of the Islamic councils within the framework of the constitution.

Section 23 – The Islamic Republic of Iran Broadcasting is obliged to air the election training programs, which are recognized to be necessary by the Guardian Council’s central supervisory board, as well as all of the election related announcements and bulletins through the national TV network or a local channel.

Section 24 – The Enforcement Force agents, within legal limits, are required to establish order, protect ballot boxes, and prevent any type of chaos during the process of election. Military and law enforcement forces do not have the right to interfere in the administrative and supervisory affairs of the election.

Section 25 – In the following cases below, the ballots are considered invalid, but will be counte in the number of received votes after the approval of the supervisory board or its representative; and details on the cases will be mentioned in a meeting minutes, and the above mentioned ballots will be attached to the meeting minutes.

1 – Illegible ballots.

2 – Ballots which have been casted through buying or selling.

3 – Undervote ballots.

Section 26 – In the following cases below -- after the approval of the supervisory board or its representative -- the ballots are considered invalid and they are not counted in the number of received votes; and details on the cases will be mentioned in a meeting minutes and the above-mentioned ballots will be attached to the meeting minutes.

1 – Ballot box lacks the election sealing.
2 – Voting for those who are not listed in the ballot paper.

3 – Votes from individuals who have not reached minimum legal age to vote.

4 – Ballots cast using birth certificate of individuals who were not Iranian or were deceased.

5 – Votes cast through fraud and deceit (in ballot papers, votes, meeting minutes).

6 – Votes casted using a fake birth certificate or a certificate that belongs to a person other than the voter.

11 Pursuant to the law legislated 15 Jan 2013, the existing text in Article (22) has replaced the previous text below:

((Section 22 - If another election is held with the presidential election concurrently, under the Interior Ministry’s order, one branch for registration and poll -- with separate ballot boxes having the same members -- would be considered for both elections.))

12 Pursuant to approved legislation dated 6 Apr 1993, Clauses (3) and (4) below were omitted and the Clause (5) changed to Clause (3):

((3 - The ballots which have names, signature, or the fingerprints of the voters on them.

4 - The ballots which have names other than the names of approved candidates on them.))
7 – Overvote

8 – Votes being cast using birth certificate of those who were not present at the poll

9 – Ballots taken by threat\[^{13}\]

10 – Votes that have been written on a paper other than the ballot paper

Amendment 1 – All of the votes recorded in the minutes of the meeting associated to a ballot box, which did not have ballot or voting paper, would be considered as spoilt and would not be counted as received votes.

Amendment 2 – The same number of votes for those mentioned in Subsection (2) – those names who were not listed in the ballot paper – will be deducted from the total number of votes through lottery voting\[^{14}\].

Section 27 – This section was omitted\[^{15}\].

Section 28 – In the event that names of more than one nominee have been written or marked on a ballot paper, the ballot is considered as invalid, however, it will be counted as a received vote\[^{16}\].

Section 29 – Before voting begins – and in the presence of a representative or representatives from the supervisory board – empty ballot boxes should be shown and then be locked and sealed with the stamp from the poll and registration branch; before voting begins, in a meeting minutes which is set by the poll members at the poll, a representative or representatives from the supervisory board of the associated constituency will certify the number of ballot boxes and whether or not they are empty. If during the poll more ballot boxes are needed to be add, they should be carried out in the same way and it should be through meeting minutes.

Section 30 – Considering the responsibilities undertaken by the Interior Ministry, the ministry is required to inform the public about the subjects related to election during conducting the election.

\[^{13}\] Pursuant to the law legislated 6 Apr 1993, Subsection (9) of the Section above was omitted and the numbers of the Subsections (10) and (11) changed to (9) and (10) respectively. Below find the omitted Subsection (9):

\[^{(9)}\] Ballots that do not have electoral stamp on them.

\[^{14}\] Pursuant to the law legislated 6 Apr 1993, the phrase “before reading vote count” was replaced by the term “through lottery voting.”
Pursuant to the law legislated 6 Apr 1993, the above-mentioned section was omitted. Below is the omitted section:

("Section 27 – If name of a candidate has been written on a ballot frequently, it will be counted as just one vote for the candidate.\)

Pursuant to the law legislated 6 Apr 1993, the old text in the section was replaced by the existing text of the section. The old text is shown below:

("In the event names of more than one individual have been written, the last additional names will not be read.\)
Section 31 – The Minister of Interior administers the presidential election and acts under the supervision of the Central Executive Election Board composed of the following members:

1 – The Interior Minister (as the chief of the board)

2 – One of the members of the Islamic Consultative Assembly [the Majles] Presiding Board – elected by the Majles (without the right to vote)

3 – The Prosecutor-general

4 – Minister of intelligence

5 – Seven people from religious, political, cultural and social figures appointed as public trustees, the way their appointment addressed in Amendments (1) and (2) of this section.

Amendment 1 – At least five months before end of the four-year presidential term, the Minister of Interior introduces 30 individuals of religious, political, cultural, and social figures of the country to the Central Supervisory Board [for Election] as the trustees, individuals who have been able to meet the qualification criteria addressed in Amendment (3) of Section (39) of this law; and, with respect for Amendment (2) of this law and with the approval of the central supervisory board, it [the ministry] holds a meeting with at least two third of the total number of the aforementioned trustees, within a week at the latest. During the meeting, seven trustees mentioned in Subsection (5) would be elected as permanent members and four individuals as substitute members based on the number of votes, through a secret ballot and a relative majority of the votes.

Amendment 2 – In the event that the Central Supervisory Board did not approve all or some of the recommended trustees for any reason, the Interior Minister is required to nominate twice as many qualified individuals to the Central Supervisory Board. The central supervisory board will announce its opinion officially in writing within 24 hours at the latest. In either case, the opinion of the central supervisory board would be irrevocable for the Ministry of Interior.

Amendment 3 – Members of the Central Executive Election Board must not be nominated for presidential election.

Amendment 4 – The first meeting is held following an invitation tendered by the Interior Minister, during which the country’s Secretary of the Election Headquarters will be elected with the Interior Minister’s proposal and the approval of the Central Executive Election Board. The Secretary of the Election Headquarters is responsible for managing the Central Executive [Election] Board. The vice president of the Central Executive Election Board will be elected from amongst the members of the board through a majority vote.
Amendment 6 – The decisions made by the Central Executive Election Board must not interfere in the Guardian Council’s duties and responsibilities related to the presidential election; otherwise, the aforementioned decisions are considered invalid and any actions taken in this regard would be prohibited. The Guardian Council would be the source of discernment on the subject of this amendment.

Amendment 7 – With nine individuals in attendance, the meeting of the Central Executive Board is considered an official meeting, and, with respect for Amendment (6) of this section and with the votes of at least seven members, its directives would be considered executable.

Amendment 8 – After the Interior Minister receives the report from the central executive board, it will announce the results of the presidential election, and giving a final approval on accuracy of the election is the Guardian Council’s responsibility.

Amendment 9 – By informing the Central Executive Board of the Election, the Ministry of Interior is able to dispatch some agents to registration branches and the polls in counties and districts to inspect and control the election process, temporarily or permanently.

Section 32 – After the end of the election, four copies of meeting minutes over the result of the election, endorsed by the Counties Executive Board and the Counties Supervisory Board of Election, will be prepared; one copy stays with the Counties Executive Board and the rest of copies will be sent to the election supervisory board, the Interior Ministry, and the Central Executive Election Board.

Section 33 – The following are considered crime:

1 – Buying or selling a votes

2 - Fraud or deception at ballot papers, voting papers, or the meeting minutes

3 – Bribery of someone or threatening someone in the election process

4 - Voting through using a forged birth certificate

5 - Voting through using other individual’s birth certificate

6 – Overvote

7 - Disrupting the process of election

8 – Manipulating the votes or ballot papers
9 - Vote count or poll fraud

10 - To take the vote of a person while he or she is not in attendance during the poll

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17 Pursuant to the law legislated 15 Jan 2013, the existing text in Section (31) was substitute for the previous text below:

"The Interior Ministry administers the presidential election law and is responsible for the accuracy of the election process; and therefore, it is able to dispatch some agents to registration branches and the polls in counties and districts to inspect and control the election process temporarily or permanently."
11 – Members of the poll, including the administrative and supervisory members or any other individual at the poll, advising a voter to elect a specific candidate.

12 - Distorting, forging, stealing, or destructing the election’s papers and documents such as tariff papers [ballot papers], voting papers, meeting minutes, telexes, telephone grams, and telegraphs

13 - Breaking the seal or the lock of the ballot boxes or opening them without legal permission

14 - Displacing, manipulating, or destroying the election’s documents without legal permission

15 - Interfering in the process of election through the use of counterfeit document

16 - Terrorizing the voters and the members of the registration branch and the polling stations with a weapon or without weapon, during the election process

17 - Interfering in the process of election through falsely representing oneself or any other illegal method

Amendment 1 – In the event that the occurrence of the crimes written in the above-mentioned section causes the process of election in one or several registration branches and polling stations to get out of their legal route and affect the whole result of the election, the degree of the event will be reported to the Central Supervisory Board by the Interior Minister, to be exposed to the Guardian Council.

Amendment 2 – In the event that any of the above-mentioned crimes is committed, the executive and supervisory boards are required to notify the judicial sources of the crime subject so it could be addressed. The subject must be immediately addressed by the prosecutor-general of the related constituency.

Section 34 – The Judiciary assigns one of the existing branches in each Jurisdiction to address the election violations and crimes out of turn.

Amendment 1 – The crimes and violations committed by the candidates will be addressed in Tehran’s branch assigned for the investigation of election crimes and violations after the end of election.

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18 Pursuant to the law legislated 15 Jan 2013, in Section (33) of this law will be amended as follows:

((In Subsection (11), after the term “poll,” the phrase “including the administrative or supervisory members” will be added.))
Pursuant to the law legislated 6 Apr 1993, the phrase “to elect specific candidates” was substituted for the phrase “writing names of specific candidates on voting papers,” and the phrase “a voter” was appended to this subsection.

Pursuant to the law legislated 15 Jan 2013, Section (33) will be amended as follows:

“The amendment to Section (33) of the law will be changed to Amendment (1), and additional amendment will be appended to this section as Amendment (2).”
Amendment 2 – Within the boundary of laws and regulations, judicial organizations in each province or district takes necessary actions to prevent crimes from occurring.\textsuperscript{21}

\textbf{Chapter III – Eligibility Criteria for Voters and Candidates}

Section 35 – The candidates must meet the following criteria when registering:

1 - Must be among religious and political figures,

2 - Must be of Iranian origin,

3 - Must be a citizen of the Islamic Republic of Iran,

4 - Must be have the ability of management and leadership,

5 - Must have a good reputation, trustworthiness, and piety,

6 - Must be faithful and believe in foundation of the Islamic Republic of Iran and the official religion of the country.

Section 36 – The Voters must meet the following criteria

1 - Must be a citizen of the Islamic Republic of Iran.

2 - Must be 18 or older\textsuperscript{22}

3 - Must be of sane mind

Section 37 – All individuals who have supervisor or administrative responsibilities are not able to nominate themselves for election, unless they have resigned their positions and no longer working in the position. \textsuperscript{23}

\textsuperscript{21}\textit{Pursuant to the law legislated 15 Jan 2013, the existing text of Section (24) will be substituted for the previous text below:}
((Section 34 - In a coordination with the observers of the Guardian Council and the Supervisory Board, judicial organizations in each province or district take necessary action, within boundary in laws and regulations, to prevent crimes from occurring.))

22 Pursuant to law legislated 2 Jan 2007 the phrase “18 years older” was substituted for the phrase “entering the age of 16.”

21 Pursuant to the law legislated 16 Oct 1386 the existing text in the section above was substituted for the old text below:

((The Cabinet members, the representatives of the Islamic Consultative Assembly [parliament], and the members of the Supreme Judicial Council are not able to nominate themselves for the election, unless they have resigned their positions and no longer working in the position.))
Chapter IV – The Executive Board

Section 38 – Immediately after order of starting the election is issued by the Interior Minister issues, the governor notifies the district governor to form executive boards; and he is required to form the Province’s Executive Election Board headed by him and with the membership of the following individuals:

The head of the National Organization for Civil Registration, the head of the Department of Justice, and the prosecutor-general, or the representatives of the head of the Department of Justice and the prosecutor-general who have jurisdiction, and nine trustees.\(^{24}\)

Amendment 1 – In counties and districts for which the Islamic Province Council or Islamic District Council has been formed, an individual from the council members – elected by the council – will be considered as one of the aforementioned eight trustees.\(^{25}\)

Amendment 2 – In the event that the head of the Department of Justice\(^ {26}\) and the attorney general are present at the place [the province or district], the above-mentioned individual is obliged to participate in the meetings of the executive board personally.\(^ {27}\)

Section 39 – With the approval from the Supervisory Board, the governor invites 30 of the trustees to a meeting in writing; in the meeting held within two days of the invitation date, and with the presence of at least two third of the invitees - and with the members of the Supervisory Board in attendance - they elect nine individuals from amongst the approved trustees as the permanent trustees and five individuals as substitute trustees, through a secret ballot and a relative majority of votes.\(^ {28}\)

Amendment 1 – The number of the members of the counties and districts’ executive boards, their qualities, and the deadline to form them are all the same.

Amendment 2 – The trustees of the executive of board and the observers of the Guardian Council must not have a record of violation of the law that has been proved in one of the competent courts of jurisdiction during the previous election.

\(^{24}\)Pursuant to the law legislated on 15 Jan 2013 Section (38) of the law is amended as follows:
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(A – After the term “the National Organization for Civil Registration,” the term “the head of the Department of Justice” will be added, and the phrase “his representative” will be replaced by “the representatives of the head of the Department of Justice and the prosecutor-general who have jurisdiction.” And the phrase “eight people” will be corrected to “nine people.”)

25 Pursuant to the law legislated on 6 Apr 1993, the number for Amendment to Section (38) changed to Amendment (1) and another amendment, mentioned above, was added to it as Amendment (2).

26 Pursuant to the law legislated on 15 Jan 2013 the Section (38) of the law is amended as follows:

((B – In the Amendment (2), the phrase “the head of the Department of Justice and” is added after the term “in the event that.”))

27 Pursuant to the law legislated on 6 Apr 1993, the number of the Amendment to Section (38) changed to Amendment (1) and another amendment, mentioned above, was added to it as Amendment (2).

28 Pursuant to the law legislated on 15 Jan 2013, the existing text in Section (39) was substituted for the old text below:

(Section 39 – With the approval of the Supervisory Board and the governors’ invitation in writing sent to the public trustees, 30 people of the trustees organize a meeting within two days of the invitation; after the presence of at least two third of the invitees (20 people) - in the presence of the Supervisory Board - they elect eight individuals (if there is no council) - whether from amongst themselves or from outsiders - as the permanent trustees and five individuals as substitute trustees through a secret ballot and a relative majority of votes.))
Amendment 3 - The trustees mentioned in this section must practically be obligated to and believe in Islam and the Constitution, have a good reputation, be able to read and write, not to be among the influential factors strengthening the previous regime, and not to be affiliated with the illegal groups.

Section 40 – The members of the executive board, the Guardian Council’s observers, the members of the registration branch and the polls must not have family relationship with candidates either by marriage or by blood as follows:

A- Relationship by blood; father, mother, child, brother, sister
B- Relationship by marriage; spouse, and spouse’s father, mother, brother, and sister

Section 41 - After accepting the membership, the executive [board] members are required to participate in the meetings and perform their legal duties.

Amendment 1 - In the event that any of the governor, the district governor, the head of the National Organization for Civil Registration, or the head of the Department of Justice, the prosecutor-general - or the representative of the head of the Department of Justice and the representative of the prosecutor-general - does not attend the meetings, the executive board is required to notify a higher-ranking official through a meeting minutes and have its duties specified. 29

Amendment 2 - The executive board is required to inform the Interior Ministry about the cases of absentees along with the reason for absence through its meeting minutes as well as its work report.

Section 42 - Whenever during the election procedure, one or several of the trustees from the executive board refrain from attending the meeting of the executive board for two consecutive sessions or four non-consecutive sessions, or do not perform their legal duties, or cause the executive board lose its majority, the governor or district governor will invite the substitute trustees as their replacements based on the number of votes; In the event that the majority is not reached after inviting the substitute trustees, the rest will be provided from the trustees (up to 30 people).

Section 43 – The district’s executive board convenes a meeting immediately after electing the trustees and determines the number of the registration branches and the polls as well as their locations; and
notifies the governor about them through the head of the board, so they could be discussed in the province’s executive board.

29 Pursuant to the law legislated on 15 Jan 2013, in Amendment (1) of the Section (41) of the law, the phrase “the head of the Department of Justice” will be appended after the term “the National Organization for Civil Registration,” and the term “his representative” will be replaced by “the representatives of the head of the Department of Justice and the prosecutor-general.”
Section 44 – The meetings of the province and district’s executive boards will have a quorum with the presence of two third of all members and decision will be made based on the majority vote of those who are present.

Section 45 - After determining where to establish the registration branches and the polls -- and after reviewing, confirming, and approving the directives from districts’ executive boards over the number and location of the registration branches and the polls – the province’s executive board acts upon publishing election advertisement containing date of holding election, poll hours, criteria for voters, crimes and violations and punitive measures, and the locations for the registration branches and the polls all across the province nine days prior to the poll.

Amendment – In case some problems emerge, the nine-day term will be reduced to seven days, with the consent of the Ministry of Interior.

Section 46 – The governor is required to send three copies of the advertisements, published across the province, to the Ministry of Interior. One copy of the advertisements would be sent by the Ministry of Interior to the Central Supervisory Board for Election.

Section 47 -After releasing the election advertisement for each registration station and the poll, the province and district’s executive boards elect five individuals from the trustees of the related area, who are able to read and write, and introduce them to the governor or district governor for adjudication.

Amendment 1 – The members of the registration and polling branch elect a president, a vice president, and three secretaries from amongst themselves; and they have to make such an arrangement that the polling stations be ready a day before the poll starts.

Amendment 2 – The registration and polling locations published in the election advertisement are unchangeable, unless the branch or its work office cannot be established at the previously announced location due to unexpected disasters, or any other causes; in this case, the executive board and the Guardian Council’s observers write a meeting minutes about the degree of change in the registration and polling station, mentioning the causes. The new polling and registration branch will be established in the shortest possible distance from the old branch in a way that it would not cause any inconvenience for voters willing to visit and recognize the poll; and the public must be informed about the change in the location of the branch.
Amendment 3 – Creation of a registration and polling station inside a museum is prohibited.

Section 48 – The governor is required to assign one representative for each polling and registration branch either directly or by delegating his authority to the district governor.

Section 49 – All of the election affairs of the central district are carried out by the province’s executive board.

Section 50 – With the approval of the province’s executive board, the district’s executive board is able to create a mobile polling station for the arduous, mountainous, far away regions, and in regions that it is not possible to create a stationary polling station. The province’s executive board, if it finds that necessary, can also act upon creating a mobile polling station in the capital of the province and the central district; and in both cases, the supervisory board, a representative of the head of the Department of Justice, and the representatives of the candidates should be informed.

In addition, a representative from the supervisory board must be in company with the mobile ballot box and report the route of the ballot and confirm that in a meeting minutes.

Section 51 – This section was omitted

Section 52 – This section was omitted

31 Pursuant to the law legislated on 15 Jan 2013, in Section (50) of the law, the phrase “the supervisory board should be informed” has been modified to the phrase “the supervisory board, a representative of the head of the Department of Justice, and the representatives of the candidates should be informed.”

32 Pursuant to the law legislated on 6 Apr 1993, the above-mentioned section was omitted. The omitted section follows as below:

((Section 51 – After receiving the ballot boxes and the meeting minutes of the registration and polling stations, the head of the district’s executive board announces the district’s election result while sending the ballot boxes and related meeting minutes to province’s executive board. Immediately after receiving the election results of subsidiary districts, the province’s head of the executive board reports the province’s election general result to the Ministry of Interior.))

33 Pursuant to the law legislated on 6 Apr 1993, the above-mentioned section was omitted. Below is the omitted section:

((Section 52 – Whenever members of some of the registration and polling branches refrain from reading the votes and completing the minutes meeting, necessarily the executive board acts upon counting and reading the votes as well as completing the minutes of meeting.))
Section 53 – In Iranian embassies, consulates, or political bureau overseas, the executive board for the presidential election will be formed with the membership of the three people from high-ranking employees of the embassy or consulate, or from political the bureau in addition to five Iranians faithful in the Islamic revolution who reside in that country, invited and elected by the ambassador or the Consul General or the official political representative.

Section 54 – After the poll ends and the votes are being read, the executive board, subject in the above section, will write a meeting minutes about the result. The ambassador or the Consul General, or the highest-ranking individual in the political bureau is required to notify the Ministry of Interior about the results through the Foreign Ministry using the fastest possible telecommunication tool.

Chapter V – Declarations of candidacy and Vetting Candidates

Section 55 – The presidential candidates or their plenipotentiary representatives, who have been introduced in writing, must visit the Ministry of Interior within five days of the release date of the election order; then they have to receive the declaration of Candidacy questionnaire and fill that out; next, they have to attached four scan copies of all pages of their birth certificate as well as 12 photos size 6 by 4 taken in the same year, and submit them to the Ministry of Interior and get a receipt for it.  

Amendment – If any of the presidential election candidates is inclined to withdraw his candidacy, he must announce his withdrawal of candidacy in writing either in person or through his plenipotentiary representative.

Section 56 – Immediately after the deadline for filing the declaration of candidacy is met, the Minister of Interior surrenders the candidates’ documentations to the Guardian Council’s secretariat.

Section 57- Within five days of receiving candidates’ documentations, the Guardian Council vets the candidates and writes its opinion in a meeting minutes, and sends a copy of that to the Ministry of Interior.
34 Pursuant to the law legislated on 6 Apr 1993, the term “officially” was changed to “in writing,” and the phrase “photocopies of all pages of the birth certificate” modified to the phrase “Scan copies of all pages of the birth certificate.” And the term “declaration of Candidacy” was added to the term “questionnaire.”
Amendment – For those candidates that the Guardian Council determines that it would be necessary to extend the time, the aforementioned time will be extended to at most five more days and then documents will be announced to the Ministry of Interior.

Section 58 – If after the legal time limit is over some documentation is found showing disqualification of a presidential candidate, the public will be informed about the process by the Interior Ministry after the Guardian Council reviews and invalidates the candidate’s credentials.

Section 59 – Candidates can present their documents proving their qualification along with their declaration candidacy form, or submit them to the Guardian Council during the time assigned for vetting candidates.

Section 60 – Within two days of receiving the Guardian Council’s opinion, the Ministry of Interior is required to inform the public across the country about the [vetted/approved] names of the presidential candidates through public media.

Section 61 – In the cases where the Guardian Council finds out that the members of the supervisory board have violated the rules and regulations according to reports, complaints, and related protests, the Guardian Council is required to dismiss them immediately and replace them by other individuals.

**Chapter VI - Advertisement**

Section 62 - By a request from the Interior Minister, a committee under the title of the Committee for the Assessment of Election Advertisement is formed in the Interior Ministry operating under the supervision of the Central Executive Election Board to ensure the equal opportunity in the use of Government’s facilities by the presidential candidates.³⁶

Section 63 - The members of the Committee for the Assessment of Election Advertisement are listed below:

1- The prosecutor-general or his plenipotentiary representative

2- The Minister of Interior or his plenipotentiary representative

3- The director of the Central Executive Election Board

³⁶ Pursuant to the law legislated on 15 Jan 2013, in Section (62) of the law, the phrase “the Ministry of Interior” will be modified to the phrase “under the supervision of the Central Executive Election Board.”
4- The head of the Islamic Republic of Iran Broadcasting Supervisory Council or one of the council’s members

5- The head of the Islamic Republic of Iran Broadcasting or his plenipotentiary representative

Amendment – The Guardian Council can designate a person from amongst its members or outsider to oversee the work of the aforementioned committee.

Section 64 – If the Committee for the Assessment of Election Advertisement determines that the candidates’ recorded advertisement programs, aired on the Radio and TV, contains insulting contents or outrage other candidates, or it is in contrast with the law, the Islamic Republic of Iran Broadcasting is obliged to omit those programs; and if one of the above-mentioned cases is carried out by any of the candidates or his representative at the time of broadcasting a live program, the national media -- at the discretion of the Committee for the Assessment of Advertisement -- should adequately give a chance to the candidate to make amends via a pre-recorded program.

Section 65 – Those presidential candidates whom their credentials have been validated by the Guardian Council and their names are announced by the Interior Ministry have the rights to the use of the Islamic Republic of Iran Broadcasting to present their programs.

The Committee for the Assessment of Advertisement has the responsibility for arranging and regulating the election campaign advertising programs via the [Islamic Republic of Iran] Broadcasting.

Section 66 – The presidential candidates' campaign activities officially begins from the date their names are announced by the Ministry of Interior and it will end 24 hours before the poll starts.

Section 67 - The presidential candidates' campaign activities in the second round begins from the date that the final results of the first round is officially announced and it will continue until 24 hours before the start of the poll for the second round.

37 Pursuant to the law legislated on 15 Jan 2013, two subsections (3) and (4) were appended to Section (63) of the law, and the number in Subsection (3) was changed to number (5).

38 Pursuant to the law legislated on 15 Jan 2013 the existing text in Section (64) was substituted for the old text below:

(Section 64 – The candidates’ advertising programs on the Radio and TV must be pre-recorded.)
Section 68 – From the date of official announcement of the candidates’ names, conducting any campaign advertising activities for or against presidential candidates at Friday prayer sermon’s desk or any other locations that have official and governmental capacity, conducting activities of employees during work hours, using ministries and its offices’ equipment and other facilities, using government-owned companies and government affiliated institutions; institutions and foundations using public budget (to any extent), and offering the aforementioned equipment and facilities to others are prohibited; whoever conducts any of the activities so would be convicted of committing crime.

Amendment 1 – Institutions and foundations such as the Foundation of the Oppressed [and Disabled] that their fund belongs to the public property are included in the above-mentioned section.

Amendment 2 – The government agencies, organizations, foundations, and its bodies and members do not have the right to give out handouts, leaflets, or placards, for or against any of the presidential candidates mentioning their office.

Section 69 – Attaching leaflets, picture, poster, or any campaign ads to traffic, hospital, and school signs, or other educational and government, and government affiliated institution signs are prohibited; and if such cases are observed, the law enforcement officers will arrest the violators of the law and surrender them to judicial officials for conducting prosecution.

Section 70 – During legal advertising time, no one has the right to tear up or erase election candidates’ campaign ads or posters that have been installed in authorized sites.

Section 71 – During the election campaign period, by no means, the presidential candidates and their advocates are allowed to desecrate and disgrace the election candidates and the violators of the law will be punished according to law.

Section 72 – Before polling starts, all campaign ads and their traces must be erased from the registration and poll stations by the members of the station.

Section 73 – The executive and supervisory officials will not have the right to campaign for or against any of the election candidates. Violation of this law is considered a crime.

Section 74 - All mainstream media outlets, paper published or electronic, and other virtual networks do not have the right to write notices or articles against the election candidates, or write on materials which indicate the detachment of a group or individuals from certain candidates. If such violation occurs, the candidates have the right to give their response via the Interior Ministry within 18 hours of the appearance of the indicated publication; and, the publication is obliged to publish [the response] immediately, in accordance with the press law.
In case that the aforementioned publication does not get printed, the person in charge must, at his own expense, forward the candidate’s response to a similar newspaper or magazine which is required to publish the response in its next issue before the deadline of advertising is met.39

Section 75 – Printery will print the election campaign ad if a written and official request is made by real and legal persons, the.

Section 76 – The Printery’s exact name and address must be written in the footnote of the printed campaign ad.

Section 77 – The caretakers of printeries are required to send four copies of each campaign ad along with a copy of applicants’ official request – for filing purpose – to the Ministry of Interior and the Guardian Council promptly after printing the advertisement.

Amendment – The Ministry of Culture and Islamic Guidance is required to circulate the provisions of Section (74), (75), and (76) among the country’s printeries, and, with regards to Section (26) of approved bylaw for the establishment of printeries and engraving dated 17 Mar 1980, the Council of the [Islamic] Revolution makes an appropriate decision about the violators.

39Pursuant to the law legislated on 15 Jan 2013, the existing text of Section (74) was substitute for the old text shown below:
Chapter VII – Complaints and Method of Addressing That

Section 78 – After complaints about the presidential election process are being addressed, announcing the results would be the authority of Guardian Council.

Section 79 – Within a week after receiving the result of presidential election— or if necessary at the latest 10 days -- the Guardian Council announces its decisive opinion about the election to the Ministry of Interior; and the Ministry of Interior will inform the public about the final result through mass media.

Section 80 – From the date of the final announcement of the qualified candidates until two days after announcing the result of the poll, the executive boards are required to accept any related complaints, address them within 24 hours in a joint meeting between the executive board and the Guardian Council’s observers in the related province, and write the result in meeting minutes and announce that to the Ministry of Interior.

Amendment 1 – For those who have complaint about the way that the election is held, they can surrender their documented complaints to the Guardian Council’s observers or the secretariat of this council within three days of the poll.

Amendment 2 – Complaints would be addressed that have the plaintiff’s information including first name, last name, occupation, full address, and the original signature of the plaintiff.

Amendment 3 – If a plaintiff accuses election candidates without a reason and proof, showing bias, and the plaintiff’s act was counted as defamation, the plaintiff is subject to prosecution.

Amendment 4 – Filing complaints against individuals and reviewing them would be confidential and disclosing them would be illegal.

Amendment 5 – Inspectors would send their reports exclusively to authorized legal sources

Section 81 – Complaints surrendered to the executive board during the election process would not prevent the continuation of the election process and would be reviewed by deadline for addressing complaints.

Section 82 – After reviewing complaints and reports, if the executive board determines that the election affairs in one or several branches have gotten outside of the normal process, and have not been conducted properly, the election in the aforementioned one or several branches will be invalidates with the approval of the Guardian Council.
Section 83 – After receiving the credentials from the Guardian Council, the Ministry of Interior presents the elected president to the leader or the Shoyraye Rahbari [leadership council].

Chapter VIII – Penalties

Section 84 – The penalty for violation of [provision] of Section (33), Subsection (16) is determined as follows:

A – If the perpetrator creates an atmosphere of fear and horror without using a weapon, he or she will be sentenced to up to 74 lashes.

B – If the creation of an atmosphere of fear and horror, either premeditated or spontaneous, is carried out by using a weapon -- and not subject to Moharebeh [waging war against God] – the perpetrator would be sentenced to up to 74 lashes or maximum two years of imprisonment.

Section 85 – The penalty for interfering in the election by falsely representing oneself (the subject under Section (33), Subsection (17) would be up to 50 lashes; and if the perpetrator had also forged a document in this regard, he would face fraud and deceit charges; and if his interference affect the fate of the election and reroute the election in a district, county, or a province, the perpetrator will be sentenced to one to five years imprisonment.

Section 86 – The penalty for violation of [provisions] of Section (21) and its amendment would be a discharge from government employment for two to six months.

Section 87 – If the administrative members of the executive board (governor or district governor, the head of the National Organization for Civil Registration, prosecutor-general or his representative) violate Section (41) and the Amendment (2) of Section (47) of this law, they would be penalized under verdict of competent sources

Under the verdict of Maraje’eh Saleheh [competent sources] the penalty would be up to one third of salary reduction for duration of one to six months; and for the rest of the members they would be deprived of membership of executive and supervisory boards as well as polling stations for two election terms.

Section 88 – Penalty for violation of provisions described in Section (68) and its amendment, those who run advertising campaign for or against one of the election candidates via Radio/TV program, and officials directly involved in related programs would be one to six months imprisonment.
Section 89 – If the Law Enforcement agents refuse to take written order of the governor or district
governor to obliterate newsletters, pictures, and posters being installed on restricted signs and areas
described in Section (69), the penalty would be up to one third of salary reduction for duration of one to
three months; and if some people knowingly install pictures and get arrested while installing them, they
would be sentenced to five to 15 lashes.

Section 90 – Penalty for violation of Section (72) would be depravation of membership in registration
branch for two terms.

Section 91 – Penalty for violation of Section (74) would be closure of the publication, the news website,
the Short Message Service Center, or the virtual networks from one to three months. In addition, the
director of the publication, the news website, the Short Message Service Center, or the virtual networks
will be sentenced to up to 74 lashes; and if the author of article is known, he or she would be also
subject to the same sentence.

Section 92 – Penalty for violation of provisions of Section (71) – in cases which is considered as
defamation or roorback – the penalty would be the same as for defamation or roorback; and in cases
other than the above-mentioned cases, the penalty would be three months imprisonment.

Section 93 – For the proper implementation of Article (99) of the Constitution and maintaining complete
neutrality, the Guardian Council’s observers are required to maintain complete neutrality during their
tenure; and taking side with any candidate in any manner would be considered a crime.

40 Pursuant to the law legislated on 15 Jan 2013, the existing text in Section (88) was substituted for the old text below:

((Section 88 – Those who violate provisions written in Section (68) and those who run campaign advertising for or against one of the candidates in broadcasting a live and direct Radio/TV
program, and the (TV/Radio) operators for broadcasting a recorded program, would be sentenced to one to six months imprisonment.))

41 Pursuant to the law legislated dated 15 Jan 2013, the existing text in Section (91) was substituted for the old text below:

((Section 91 – The penalty for violation of Section (74) would be closure of publication from one to three months, and the author of the article (if he is known) and the director of the
publication (if the author is unknown) would be sentenced to up to 74 lashes; and whoever commits the above-mentioned violations through means other than the press, also would be
sentenced to up to 74 lashes.))
Amendment – Penalty for violation of the above-mentioned Section would be separation from
government employment for six months to one year, or six months to one year imprisonment.

Section 94 – The penalties in this chapter are not limited to those above-mentioned types of penalties
and the judge can impose any of the above-mentioned penalties on the perpetrator or any other
appropriate penalty that have come in Ta’zirat Law [Islamic Punishment Law; punishment is left to the judge
and might vary depending upon who inflicts it and upon whom it is inflicted].

* Attachments:

-- Law of Appending a Sole Clause Article to the Election Law
(Legislated on 28 Jul 1991)

**Sole Clause Article** [Madeh Vahedeh] - Use of any kind of placard, tracts, writing on walls, campaign
caravans, roaming loudspeakers outside of speech areas, and similar things (not counting photos
maximum in two forms and pamphlets, and leaflets, and also speeches and Q&A’s from the candidates
for the Islamic Consultative Assembly and the presidential elections and their supporters) are
prohibited.

Violators of this article will be subject to three to 30 days in jail.

Clause - Announcing opinions by well-known figures [shakhsiat-ha] in support of candidates is only
allowed on the condition that their title and office is not mentioned and the related written document
with their signature has been presented to the election Executive Board.

The above Sole Article [Madeh Vahedeh] and one clause was legislated on the Sunday Mordad 6th, 1370

- Law of Appending a Sole Clause Article to the Islamic Consultative Assembly Elections Law
(Legislated on 11 Mar 1992)

**Sole Clause Article** – Live broadcasting of the Islamic Consultative Assembly’s debates and publishing
them in newspapers are not subject to the ban on campaign advertising by Radio/TV and newspapers.

Clause – This law would come into force from the date it is approved.


(Legislated 4 Mar 1992)

**Subject to interpretation**

1- Are the activities of campaign advertising and promoting the candidates conducted by groups, associations, and collective organizations such as the Association of Combatant Clerics and Tehran Association of Combatant Clerics, weekly newspapers and magazines, and special editions with or without picture subject to the ban described in Sole Clause Article or not?

2- What is the meaning of a picture in two forms? Is it in contrast with the Sole Clause Article if the advertising information at the top or bottom of each picture, with various names and titles, is distributed during the election time?

3 – No exact definition has been presented for the terms placard and tract; in this regard, what is the source of definition and recognition of the terms placard and tract? Is silk within the range of the definition of placard and tract?

4 – Would it be the responsibly of an election candidate if the provisions of the aforementioned Sole Clause Article are violated? And if the responsibility is on the candidate, can one act upon arresting him? And if, in the same way, one or two, or few candidates are arrested, will the election be stopped or not?

5 – What source should draft and approve the executive bylaw of the law?

**The Majles’s Opinion**

**Sole Clause Article** - Law of Appending the Madeh Vahede [a Sole Clause Article to the Elections Law legislated on 28 Jul 1991] is interpreted as follows:

1 – The associations and groups in each constituency are allowed to announce their support for candidates of their choice to any chosen candidate in writing, and the aforementioned candidates are able to publish the materials indicating support from various strata and groups at the bottom of two allowable posters or a biography.
2 – Two forms has the same sense as the two paper posters and there are no problems with writing advertisement materials at the top or bottom of them; and they would not be subsumed under the above-mentioned sole clause article.

3- Placard and tract have the same sense as any advertising materials printed on fabric, paper, cardboard, and metal. Silk also falls in the category of “and similar things,” however, there is no problem with installing any kind of signs that titles the location of the Election Headquarters.

4 – [Provisions of the Sole Clause Article] violation charge would be the responsibly of individual or individuals, or groups and organizations that have conducted prohibited advertising activities; and in any case, the amendment of Section (28) of the election law remains in effect and it would not be possible to arraign or arrest a candidate during time of holding election.

5 - The executive bylaw of this law will be drafted by the Interior Minister and will be approval by the cabinet ministers.


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Law of Amendment to the Law of Appending the Madeh Vahede [a Sole Clause Article] to the Election Law Legislated by the Islamic Consultative Assembly on 28 July 1991

(Legislated 17 Mar 1992)

Sole Clause Article – The Law of Appending a Sole Clause Article to the Election Law (legislated 28 Jul 1991) is amended as follows:

Use of any kind of placard (except at the election headquarters location), writing on walls, campaign caravans, roaming loudspeakers outside of speech areas, and similar things -- not counting photos in two forms and pamphlets, tract with picture, and also speeches and Q&A’s from the candidates for the Islamic Consultative Assembly and the presidential elections and their supporters -- are prohibited. Violators of this article will be subject to three to 30 days in jail.

Amendment 1 – Announcing opinions by well-known figures [shakhsiat-ha] in support of candidates is only allowed on the condition that their title and office is not mentioned and the related written document with their signature has been presented to the election Executive Board

Amendment 2 – This law would be irrevocable from the date it is approved.
Amendment 3 – All rules and regulations contrary to this law would be revoked.


- Directive from the Expediency Discernment Council of the System in regards to “Consolidation of the Number of the Candidates”

(Legislated 23 Jan 1992)

Sole Clause Article – From the date of approving this law, all elections (except for the Assembly of Experts and the State Councils elections) at various regional and national levels are operational on the condition that the number of candidates is at least twice the number of needed selected candidates.

Amendment 1 – In those constituencies that the number of needed selected candidates is higher than three people, the number of candidates must be at least one and half time of the number of the needed selected candidates for that constituency.

Amendment 2 – If one or several candidates resign or pass away after the end of the registering date, the election will be held for the remaining individual or individuals and this occurrence will not stop the election.

The topic “consolidation of the number of candidates for the election,” subject of disagreement between the Majles and the Guardian Council, was legislated on Tuesday Ordibehesht 24th 1370 [14 May 1391] session of the Islamic Consultative Assembly, and, in the implementation of Principle 112 of the Constitution, it was passed on Thursday Bahman 3rd, 1370 [23 Jan 1992] session of the Expediency Discernment Council of the System with the above description.

- Directive from the Expediency Discernment Council of the System in regards to the Need for Carefully Addressing Complaints Made by Candidates Being Disqualified during Various Elections

(Legislated 13 Nov 1399)
Sole Clause Article - Pursuant to this law, in various elections (except for the Assembly of Experts of the Leadership elections that will be conducted in accordance with Principle (108) of the Constitution), all sources vetting the qualifications of candidates are required to vet the qualifications of the candidates merely on the basis of legal materials and based on valid evidence and documentation that have been sent to the executive and supervisory sources by legally responsible centers; and if they have disqualified a candidate, they must notify the candidate of the reason for his disqualification mentioning legal materials were adduced and related reasons, as instructed below:

1 – Legal adducing evidence must be declared to the candidate in writing.

2 – By request of a disqualified candidate, the reasons and documentations for his disqualification must be brought to his notice by the sources of vetting, as it is instructed below:

A- In all cases except for cases in paragraph B, C, and (D), evidence and proofs must be brought to his notice in writing.

B- In cases that the evidence and proofs involve in public decency or desecration of individuals; if the candidate himself is subject to denigration, the evidence and proofs would be brought to his notice in person; and if he requests written documentations on the spot after being informed in person, evidence and proofs would be declared to him in writing.

C- If presenting evidence and proofs involve desecration of other individual or individuals in addition to denigration of the candidate, the evidence and proof would be brought to the candidate’s notice only in person [no written proofs or evidence].

D – For the national security related cases, announcing proofs and documentations and the method of announcing them will be at the discretion of a committee with the membership of the head of the Armed Forces General Command Headquarters and the Minister of Intelligence.

Amendment 1- Mentioning the sources which furnished the above-mentioned information [to the disqualified candidate], would be at the discretion of the authority that vetted the candidate.

Amendment 2 – The authorities reviewing the complaints of the disqualified candidates are required to carefully review the complaints of the disqualified candidates and announce the result to the candidates as well as the administrators of the election; by request of disqualified candidates, depending on the case, the first authority addressing the complaints is required to hear their defense and explanation.

Amendment 3 – If the Guardian Council disqualifies a candidate, who has been qualified during previous stages, the candidate can ask for reinvestigation within a maximum of three days from the date of the Guardian Council’s notification [of disqualification]. The Guardian Council must investigate and announce the result within seven days.
Amendment 4 – For the candidates who have been approved qualified candidates in the previous stages, polling in the Guardian Council would be about their disqualification.

The above law consisting in the Sole Clause Article and four amendments was legislated on the Tuesday Mehr 20th, 1378 [12 Oct 1999] open session of the Islamic Consultative Assembly [Parliament] and was referred to the Expediency Discernment Council of the System due to the Guardian Council’s objection; and, with some corrections, it received the final approval of the Expediency Discernment Council of the System on 13 Dec 1999.

- Law of the Presence of the Representatives of the Presidential Election Candidates’ at Polling Stations

(Legislated 20 Aug 2000)

Sole Clause Article. Pursuant to this law, each one of the presidential candidates, by itself or jointly with several candidates, can have a designated location at each polling station for installing computerized vote counting machine; and the provinces and districts’ Executive Boards can have one representative. The representatives of the candidates can be present at the polls (stationary or mobile polling stations) and in the designated locations for the installation of computerized vote counting machine without interfering with their duties [executive boards’ duties]; and if they [the representatives] observe a violation of the law, they should announce its details in writing to the observers of Guardian Council, the supervisory board of the related county and province, and the State Election Headquarters. The representatives of the candidates are permitted to stay at the polls until the poll, vote counting, and meeting minutes end; and it is prohibited to prevent the representatives of the candidates form being present at the polls and the locations for the installation of computerized vote counting machine; and it is considered a crime and the lawbreaker would be subject to punishment outlined in the amendment of Section (93) of the presidential election law.

The officials at the polling stations are required to prevent the presence of unauthorized individuals (individuals whom their presences at the polls has not been predicted under this law and the presidential election law); violation of this subject is considered a crime and the violator of this law would be subject to punishments outlined in Section (88) of the presidential election law.

Amendment 1- If the number of presidential candidates is higher than (6) individuals, each candidate can introduce only one representative for every two polling stations.
Amendment 2 – The candidate representative must be from volunteers, being recommended by the candidate or the caretaker of the campaign headquarters of the candidate in the related province, introduced to the governor of the same province as the candidate’s plenipotentiary representative, at least five days prior to the start of the poll. Governors are required to submit the aforementioned representatives’ cards or letters of introduction to the caretakers of the campaign headquarters of the related candidates in the provinces, at least 48 hours prior to the start of the poll; violation of this amendment by the governors is considered a crime and the violator of the law is subject to punishments outlined in Section (88) of the presidential election law. All of the expenses of the implementation of this amendment would be calculated by the Ministry of Interior, and candidates will pay for it in proportion to their number of representatives before introducing their representatives.

Amendment 3 – The caretaker for the campaign headquarters of each candidate in each province is an individual who is introduced to the governor’s office in the same province by the candidate, a week prior to the start of the poll.

Amendment 4 – The personnel of the law enforcement and military forces, and the Intelligence cannot be a representative or an observer on behalf of any candidate.

Amendment 5 – The candidates’ representatives do not have the right to advertise for or against any candidates, or interfere in the work of delegations conducting polls, or in the work of the Guardian Council’s inspectors and observers; in case of violation, they [representative] will be dismissed from the poll and dealt with in conformity with Section (88) of the presidential election law.

Amendment 6 – This law would be irrevocable from the date it is approved and all rules and regulations contrary to this law will be revoked and have no effect.

The executive bylaw of this law will be drafted by the Interior Minister and will be approval by the cabinet ministers.

The above law consisting in the Sole Clause Article and six amendments was legislated on the Sunday Mordad 30th, 1379 [20 Aug 2000] open session of the Islamic Consultative Assembly [Parliament], and the Guardian Council’ approval has not been received within the appointed deadline prescribed in Principle (94) of the Constitution.

- Law of Guardian Council Supervision over the Islamic Republic of Iran’s Presidential Election

(Legislated 25 Jun 1985)

Section 1 – Based on Principle 99 of the Constitution of the Islamic Republic of Iran, the Guardian Council has the responsibility of supervising the presidential election.
Section 2 – Before the start of election and by a majority of the votes of the Members of the Guardian Council, the Guardian Council chooses two individuals from amongst its own members and five people who are Muslim, knowledgeable, trusted, and have a good reputation as members of the central Supervisory Board of the presidential election, and selects three individuals as substitute members, and introduces them to the Interior Ministry.

Section 3 – The Guardian Council can set the work place of the election’s Central Supervisory Board in the Ministry of Interior.

Section 4 – The central supervisory board will supervise all stages of the election, election events, the measures taken by the Ministry of Interior and the executive boards which are influential in the election, and whatever is related to the accuracy of the election.

Section 5 – With the conditions mentioned above in Section 2, the Election’s Central Supervisory Board must assign observer or observers for each province to supervise the election.

Amendment – In any case that the Guardian Council deems necessary, it can choose all or some of the observers directly

Section 6 – The central supervisory board or the observers who have full supervision over the quality of the election across the country, if they observe any negative move or a violation, they will warn against that in writing. Governors and district governors are required to immediately act upon resolving any raised problem immediately in conformity with the related rules; and if the officials of the Minister of Interior do not take their opinions into consideration, the observers will report the details to the Guardian Council’s central supervisory board.

Section 7 – In all stages of the election, if the Guardian Council finds that a violation has been proved mentioning the reason, it makes its decision on invalidating or stopping the election across the country or in some regions and announces its opinion through mass media; and the Guardian Council’s opinion with this regard is decisive and irrevocable and no other sources have the right to invalidate or stop the election.

Amendment – The [election’s] central executive board must review the documents stating the inaccuracy of the election or the reasons for stopping it and send them to the Guardian Council for making a decision.

Section 8 - After the order by the Minister of Interior to start the election is issued, if the Guardian Council observes violation in the quality of conducting election preparations such as in assigning the executive board, the method of advertising, and such like that cause damage to accuracy of the election, it will stop the election and announces the details for stopping it to the Minister of Interior.
Section 9 – Before announcing the general results of the election, based on the Guardian Council’s opinion, in cases where stopping or invalidating the election is influential in determining the president, polling in areas where election have been stopped or invalidated will be continued or resumed as soon as possible.

Section 10 – In cases where the observer or observers determine that the results of the election at one or several polling stations in the capital of the province or its subsidiary districts are not congruous with the law, they will discuss the case in the executive board of the region, mentioning the reason; if the aforementioned executive board does not agree with their opinion, the details would be referred to the presidential election’s Central Supervisory Board and this board’s opinion will be decisive and irrevocable after the Guardian Council’s approval.

Section 11 – The executive boards are required to surrender a copy of the meeting minutes from the measures taken by them to the observer or observers. In cases where the signatures of the executive boards have been predicted in the election law, the signatures of observer or observers are needed too.

Pursuant to the Law of Inquiry, legislated 30 May 2001, the signature of the observers represents the approval of the polling process and if there is objection and impediment, it would be stated in the meeting minutes. This approval is not a negation of the supervision of the Guardian Council during the final reviews.

Section 12 - The Ministry of Interior is required to let the details of the procedures of the election be confirmed by the Guardian Council before it issues the election order all across the country.

The above law consisting of 12 sections and two amendments was legislated on the Tuesday Tir 4th, 1364 [25 Jun 1985] open session of the Islamic Consultative Assembly, and approved by the Guardian Council on 30 Jun 1985.

- Law of Inquiry into Clause (11) and Clause (13) of the Law of Guardian Council Supervision over the Islamic Republic of Iran’s Presidential Election and the Islamic Consultative Assembly [parliament] Elections, and Clause (19) of the Presidential Election Law

(Legislated 30 May 2001)
1- Considering lack of a description in provisions of Section (19) of the presidential election law over the need for a birth certificate with or without picture, does this mean that presenting only a valid birth certificate from the Islamic Republic of Iran would be sufficient and the authentication would be done by the officials at the polling station?

2 – Considering Section (11) of the Law of Guardian Council Supervision over Presidential Election and Section (13) of the Law of the Guardian Council Supervision over the Islamic Consultative Assembly Elections, does the signatures of observers mean merely the announcement of the observer’s presence during holding election or the signatures of the observers represents the approval of polling process at the related station, and, if there is an objection or impediment, the observer would write that at the bottom of the meeting minutes along with his signature?

The Majles’s Opinion

1 – It [the Provision of section 19] means presenting only a valid birth certificate and the birth certificate do not have to be necessarily pictured.

2 – The signatures of the observers represent the approval of the polling process and if there is an objection or impediment, it would be written at the bottom of the meeting minutes. This approval is not a negation of the supervision of the Guardian Council during the final reviews.

The provisions of this law (law of inquiry) are irrevocable from the date it is approved.

The above law consisting in the Sole Clause Article was legislated on the Wednesday Khorda 9th, 1380 [30 May 2001] open session of the Islamic Consultative Assembly, and approved by the Guardian Council on 30 May 2001.

The Legislation Office of the Guardian Council

22 Oct 2012