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Elections in Iran

2017 Presidential and Municipal Elections

Frequently Asked Questions

Middle East and North Africa

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure: These FAQs reflect decisions made by the Iranian elections authorities as of May 15, 2017, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

Presidential and municipal elections in Iran are scheduled for Friday, May 19, 2017.

Who will Iranians elect on May 19?

Iranians will elect the president of Iran and members of city and village councils.

What is the Guardian Council, and what is its mandate in Iran's electoral process?

The Guardian Council is charged with examining all legislation passed by the Islamic Consultative Assembly (*Majles*) to ensure it conforms to Islamic law. According to Article 91 of the constitution, the Guardian Council consists of 12 members. Six of them must be "just and pious" clergymen who are chosen by the *faqih* (an expert in Islamic law) or the Leadership Council. The other six must be Muslim lawyers who are first selected by the High Council of Justice, then approved by a majority vote of the *Majles*.

Members of the Guardian Council serve six-year terms, with half of the members changing every three years. Their responsibilities are delineated in Articles 94 through 99 of the constitution. Regarding presidential elections, the council is mandated to vet presidential candidates. Article 99 also stipulates that the Guardian Council is in charge of monitoring presidential elections. In 1991, the Council interpreted this article to mean, "Its supervision of elections is approbationary and applies to all stages of the electoral process, including the approval and rejection of candidates."

Beyond validating the credentials of candidates, the Guardian Council has significant supervisory powers in the electoral process, including:

- Approving the date of elections
- Receiving complaints and adjudicating electoral disputes
- Monitoring the work of the Election Campaign Monitoring Commission, which regulates the conduct of presidential candidates and their campaign-related activities
- Annulling elections in an electoral district or stopping the election process
- Approving amendments to and revisions of all electoral laws
- Certifying election results

The Guardian Council carries out its monitoring activities by establishing supervisory committees during presidential elections. These committees are composed of temporary members and formed at the start of the campaigning period. All supervisors and members of supervisory committees are remunerated for their services.

What is the Central Executive Election Board? What is its mandate?

For previous elections, the Ministry of Interior (MoI) was tasked with planning and supervision. However, in a preemptive move to address concerns of fraud during the current election cycle, a new presidential election law was enacted in January 2013. This new law requires the MoI to administer elections under the direct supervision of the Central Executive Election Board (CEEB).

The CEEB, an 11-member body headed by the interior minister, includes the intelligence minister, the state prosecutor, one member of the Directory Board of Parliament and seven prominent national, political, social and cultural figures. These seven individuals are chosen by a committee of 30 people nominated by the MoI and approved by the prosecutor general.

However, the Guardian Council remains responsible for overall supervision of the electoral process. The new law also emphasizes the role of the judiciary in monitoring the electoral process and preventing electoral crimes.

What is the legal framework for elections in Iran?

The Constitution of the Islamic Republic of Iran – as promulgated in 1979 and amended in 1989 – and five electoral laws provide the legal framework for governing elections. Articles 114 through 120 of the constitution outline the election system for the presidency, candidate qualifications, the maximum period between elections and terms of re-election

The constitution makes no reference to the type, composition and responsibilities of Iran's election management bodies, with the exception of Article 99, which states, "The Guardian Council has the responsibility of supervising the elections of the Assembly of Experts for Leadership, the presidency, the *Majles* and referenda."

Beyond the constitution, the following five electoral laws create the legal framework governing election administration and supervision in Iran:

- The Law on Presidential Elections (January 2013)
- The Law on Islamic Consultative Assembly Elections (April 2007)
- The Law on the Organization, Functions and Elections of Islamic Councils of Mayors (September 2003 and May 2011)
- The Law on the Guardian Council's Supervision of the Presidential Elections of the Islamic Republic of Iran (June 1985)
- The Law on the Guardian Council's Supervision of Islamic Consultative Assembly Elections (January 2000)

What does the Law on Presidential Elections entail?

The Law on Presidential Elections establishes election provisions on the franchise, conduct and administration of elections; the electoral system; candidate registration and qualification; campaigning; electoral dispute resolution and electoral violations and punishment. Article 1 outlines the term of the presidency as four years from the time the Supreme Leader of Iran endorses the president's credentials.

Article 10 specifies that the president must be chosen by a direct popular vote and through secret ballot. Presidents can seek only two consecutive terms, and may seek re-election after a one-term break.

Presidential elections in Iran are based on a winner-takes-all contest, with candidates competing for an absolute majority (50% plus one) of the votes. Run-off elections, as stated in Article 14 of the law, take place the Friday following Election Day between the two candidates with the highest number of votes if an absolute majority is not achieved by a candidate in the first round.

What electoral system is used in Iran?

The electorate directly elects the Assembly of Experts,[1] Parliament, the president and local councils. In turn, the Assembly of Experts directly appoints the supreme leader who, with Parliament, directly appoints the Guardian Council. The president directly appoints the Cabinet; and local councils directly appoint mayors.

The Guardian Council vets presidential candidates, and Parliament vets local council candidates. Appointment and election terms are as follows:

- The supreme leader is appointed for life by the Assembly of Experts.
- The president is elected by absolute majority vote through a two-round system[2] to serve a four-year term.

Who is eligible to vote?

Every Iranian 18 or over, including those living abroad, may vote in the presidential election. For the municipal elections, every Iranian 18 or over who is living in Iran may vote.

For the 2017 presidential election, there are around 55,000,000 eligible voters. The Elections Office compiles an overview of the number of eligible voters for each election using information provided by

[1] The Assembly of Experts is made up of 86 directly elected clerics whose chief responsibilities are the election of the Supreme Leader and supervising his activities.
[2] This is also known as "run-off voting." Voters mark their preferred candidate with an "X"; if the candidate wins a certain level of support (50% plus 1), then the candidate is elected. If no one wins 50 percent of the vote plus one, voters are asked to vote a second time for the top two candidates with the most amount of votes, usually two or three weeks later. In the second round, the candidate who wins the most votes is elected.

Iran's Statistical Center; the Civil and Registration Office; and statistical experts in the offices of governor generals in Iran's 31 provinces.

Who can stand as a presidential candidate?

To stand for elections, a presidential candidate must be:

- A religious or political personality
- Iranian by origin
- A citizen of Iran
- A qualified executive with management and leadership abilities
- Reputable, trustworthy and pious
- A person of faith who professes loyalty to the principles of the Islamic Republic and the official religion of the state

Neither the constitution nor the election law provides minimum or maximum age limits or education preconditions for candidates.

Presidential candidates must complete a candidate nomination form and submit it to the Ministry of Interior (MoI) within five days of the announcement of elections. The MoI collects applications and sends them to the Guardian Council. While the council vets the candidate list, candidates have the opportunity to submit information or testimonials that confirm their eligibility and qualifications.

The Guardian Council screens applications within five days and sends the MoI a list of qualified candidates. The council can extend the review period by five days, as many times as necessary until it approves/rejects the candidates. The MoI announces the final candidate list to the public.

For the municipal elections, a candidate must be:

- A citizen of Iran
- At least 25 years old
- A person of faith who professes loyalty to the principles of the Islamic Republic, official religions of Iran and Islamic Jurists (a system of government wherein the Islamic clergy has the ultimate power in all branches of the government)
- Attain a specific level of education:
    - For villages of up to 200 families: literacy
    - For villages of more than 200 families: at least a high school diploma
    - For city councils in cities up to 20,000 families: at least two years of study after receiving a diploma
    - For the city councils in cities of more than 20,000 families: a graduate degree
- Active Service Completion Certificate
- Reside in the same district they are running in

How is election administration structured?

Two bodies are charged with managing presidential election-related activities in Iran: The Guardian Council and the Ministry of Interior (MoI). The Guardian Council has autonomy to monitor, supervise and set policies for the conduct of elections, while the MoI implements election operations under the council's authority.

For presidential elections, the Guardian Council sets up a Central Supervisory Committee (CSC) composed of seven members elected by an absolute majority. Based on Article 2 of the Law on the Guardian Council's Supervision of Presidential Elections, the CSC consists of two members of the Guardian Council and five, informed, trustworthy Muslims. Often, the Guardian Council appoints more than two of its members to the CSC. The CSC is responsible for monitoring all stages of the electoral process, the conduct of the MoI and all matters concerning the validity of elections. The CSC must also appoint election supervisors for each county. These supervisors are responsible for monitoring the election process at the county level and reporting infringements or misdemeanors to the CSC. To ensure supervision of elections is completed at all levels, one space in all polling stations across Iran is reserved for a council poll monitor.

At the start of the cycle, the interior minister establishes the National Election Commission (NEC) in the Bureau of Political Affairs. The NEC is usually in operation two months prior to Election Day, and directly answers to the minister. The NEC consists of 45 members. Twenty are appointed from different departments in the MoI with the remaining 25 members comprised of staff from the Election Office. The NEC has a chairman, who is appointed by the MoI and is usually the deputy of the Bureau for Political Affairs.[3] In parallel, provincial election commissions are established in the offices of 31 governor generals to assist with the coordination of activities between executive committees and the NEC.

Depending on the election (presidential or parliamentary), several levels of local executive committees are established to assist with the implementation of electoral procedures. The function and responsibilities of executive committees include:

- Deciding the number and location of polling stations
- Providing the public with vital information about elections, including the election date, voting hours, voting qualifications and voting station locations
- Ensuring the implementation of electoral rules and regulations outlined in the law
- Appointing polling station officers

For the presidential elections, 368 county executive committees are established in all of Iran's counties, and 920 district executive committees (DEC) are formed in rural districts. According to Article 38 of the Law on Presidential Elections, these committees are composed of a governor/district administrator who chairs the committee and is an appointee of the MoI; the county/district prosecutor; the head of the

[3] Mirdamadi, Serajedin. "A Technical Look at the Tenth Presidential Election." Gozaar: A Forum on Human Rights and Democracy in Iran. Freedom House, July 22, 2009.

Civil Registration Office; a local councilor; and seven trustworthy members of the public. The seven members of the public are invitees of the governor/district administrator, and must have the following qualifications:

- Faith and trust in Islam, with practical engagement in Islamic tenets
- A good reputation
- Literate
- Not have adhered to, or held office in, the former regime

DECs assign five-member polling station committees for each polling station composed of a chief, deputy and three secretaries. Additionally, the governor of each county has a representative at each polling station.

For the municipal elections, two bodies are charged with managing municipal election-related activities in Iran: The Parliament and the MoI. The Parliament has autonomy to monitor, supervise and set policies for the conduct of elections, while the MoI implements election operations under the council's authority. This is the only election wherein the Guardian Council has no authority on any aspect of the election.

How is voter registration conducted?

Iran does not have a voter registration system and voters can vote anywhere as long as they present their national identification card, or *shenasnameh*.

How are polling stations allocated to voters?

Any eligible voter can go to any polling station to cast his/her ballot. For presidential and parliamentary elections, by law, voters should go to the polling station assigned to their address of at least six months; however, in practice, polling stations will not turn down a voter based on his/her address of residency. Based on data released by the Statistical Center of Iran in the 2011 census, the number of eligible voters in each district informs the number of ballots printed and distributed among electoral districts. To ensure enough ballots are available on Election Day, the Elections Office normally prints 10 percent more ballots than required. In case they run out of ballots, polling stations can always call the upper level executive election committee and request additional ballots.

Who registered to compete for the elections?

Among 1,636 candidates who registered for the presidential election, the Guardian Council approved six candidates including incumbents President Hassan Rouhani, Vice President Eshaq Jahangiri, and Tehran Mayor Mohammad Ghalibaf, as well as former Deputy Chief Justice Ebrahim Raisi, former Minister of Industries Mostafa Hashemitaba and former Minister of Culture and Islamic Guidance Mostafa Mirsalim.

The nomination of former President Mahmood Ahmadinejad was not approved by the Guardian Council.

What are the rules for campaigning?

Presidential campaigns start with the publication of the final list of candidates and ends 24 hours before Election Day. Campaigns generally last less than a month.

The law guarantees equal campaign conditions for nominees, including equal access to Iran's state-owned media, the Islamic Republic of Iran's Broadcasting (IRIB). The Election Campaign Monitoring Commission (ECMC), a temporary body established by the Ministry of Interior (MoI), monitors the election campaign to ensure equal access of candidates to state resources. ECMC membership consists of the attorney general or his representative; the interior minister or his representative; the director of the IRIB; and a representative of the Guardian Council.

Nominees can present their policies and inform the public of their positions on issues using the IRIB platform. The election law stipulates the following provisions governing campaign activity:

- It is illegal to destroy posters or ads of any candidate during the campaign period.
- Candidates and their supporters are prohibited from insulting or slandering other candidates.
- It is prohibited to post announcements, posters or any kind of advertising outside a designated campaign rally.
- Campaigning activity through the IRIB beyond the officially allotted time, Friday prayer sermons or any other official government body is prohibited.
- Making use of government resources – including the resources of state-owned and public companies, foundations or any organizations with a public budget – for or against a candidate is illegal.
- All campaign-related advertisements must be removed from polling stations 24 hours before the start of the elections.

Moreover, election officials are required to remain neutral during the campaign and are barred from campaigning for particular candidates. Government employees are also prohibited from campaigning for or against a candidate. Candidates who violate campaign regulations are subject to prosecution and fines. Complaints are submitted to election executive committees.

Municipal election candidates have no access to Iran's stated-owned media (IRIB). The campaign period is seven days. It officially starts with the publication of the final list of candidates and ends 24 hours before Election Day.

What are the basic rules for Election Day?

According to Article 28 of the Law on Presidential Elections, registration and polling station staff are required to be present at the polling station at least one hour before opening. Polling stations are open from 8:00 a.m. to 8:00 p.m. on Election Day, with an extension of voting hours if warranted by turnout.

How many polling places are set up on Election Day? What are the main duties of the poll workers?

The Ministry of Interior has setup approximately 55,000 polling stations, including 132 polling stations abroad, for the presidential election and approximately 65,000 polling stations for the municipal elections.

For each polling station, a polling committee of five to seven trustworthy, literate individuals is responsible for administering the voting process on Election Day. Moreover, in each polling station, representatives of the governor/district administrator and the Guardian Council are present at all times. Accredited candidate agents may also be present during voting hours, as well as during the count to monitor the press.

Upon entering a polling station, an election officer – who can be the governor's representative, the director of the polling station or any of the three secretaries – conducts a two-stage check by examining the voter's index finger to ensure it does not have a trace of stamp ink, which indicates the voter has already cast a ballot. The officer also reviews the voter's ID card, or *shenasnameh*, to ensure it has not been stamped with the election stamp designed for the given election. Once this process is complete, the voter is handed a ballot and directed to a private area to fill it out with the name of the desired candidate. After casting a ballot in the ballot box, the election officer stamps a voter's *shenasnameh* and inks their index finger to prevent double voting.

Is out-of-country voting allowed?

Yes. Iran does not restrict voting based on length of stay abroad or reason for staying abroad; there are no registration requirements for out-of-country voters, and the legal framework contains no distinct rules for out-of-country voters.

Out-of-country voting is administered in Iranian consulates and embassies abroad. Any Iranian can go to their embassy or consulate to vote.

What are the steps for voting?

Voters present their national ID card, or *shenasnameh*, to an election officer. Iran has a two-part ballot: the ballot itself and a stub. After checking the *shenasnameh,* the voter's information (basic biographical data) is entered onto the stub portion of the ballot. It is important to note that the stub, once detached from the ballot, cannot be matched to the ballot. There are no serial numbers or any other markings that tie the two parts together. Once the stub portion of the ballot is completed and the *shenasnameh* stamped, the stub is separated from the ballot and deposited into a box where all stubs are collected. The voter then proceeds to the voting station, fills in the name of the desired candidate, folds the ballot in half and casts his or her ballot in the ballot box.

For every election in Iran, there is a unique ink stamp that is stamped onto a voter's *shenasnameh*. The Election Office designs and distributes this stamp across all polling stations in the country. Polling station officers are required to examine the voter's *shenasnameh* to ensure an election stamp from the current elections has not already been applied. Once the voters cast their ballot into the designated ballot box, a polling officer stamps their *shenasnameh* and inks their index finger.

Can a voter who has not actively registered cast his or her ballot?

Yes, as there is no voter registration process, any eligible voter can cast his or her ballot.

What provisions have been made to accommodate voters with disabilities?

There are no specific provisions in the Law on Presidential Elections to accommodate voters with disabilities.

How do election officials plan to reach out to and accommodate illiterate voters?

Voters are required to write the name of their preferred candidate on the ballot; there are no pictorial symbols, and voters are not allowed to make an "X" to indicate their choice. Since many people are unable to read or write, the government allows an individual of the voter's choice to accompany the voter and help him or her write the name of their preferred candidate on the ballot. This individual can be anyone; there are no restrictions on who this person can be.

Who will count the votes? When and where will counting take place?

The votes are counted at the polling stations. The counting process commences as soon as the polling stations close. Vote counting is conducted manually by members of executive election committees. However, for this presidential election, 13,000 polling stations are equipped with electronic equipment to count votes digitally. Only the polling station committees and representatives of the Guardian Council and governor and candidate agents are permitted to be present during this process.

What are the basic rules for counting and tabulation?

Polling station officials first count the ballot stubs, followed by the ballots. If the number of stubs and ballots are equal, the actual vote count begins. If there are more ballots than ballot stubs, the difference is randomly selected from the ballot box and the votes cancelled. Then, ballots are counted. In cases where there are more stubs than ballots, the discrepancy is reported and the votes are counted.

Once the votes are counted and results tallied, polling station members, along with representatives of the Guardian Council and governor, prepare minutes and transfer a copy of the minutes with excess voting material and ballots to central executive committees in each electoral district.

A copy of meeting minutes and election results is then sent to each governor. In turn, all governors send a copy of the final election results and meeting minutes to the Guardian Council and the National Election Commission and results are published in each electoral district. Results are published as they roll in.

Only the polling station committees and representatives of the Guardian Council (for the municipal election is it parliamentary officials), governors and candidate agents are permitted to be present during this process.

Who will monitor the elections?

Neither the general public nor international observers are permitted to officially monitor the elections. However, candidate representatives may be present at every polling station during voting hours and the vote count.

How will election disputes be adjudicated?

According to Article 36 of the Law on Presidential Elections, after the expiration of the legal period at least two days after the publication of the election results in the city, the election executive committee of the city meets in the presence of the observer(s) of the Guardian Council to examine the merits of complaints, and complete and submit a report to the governor. Complaints can be submitted by any individual through the completion of a complaint form, which is sent to the appropriate election executive committee within five days of the election.

The Guardian Council reserves the right to nullify or suspend the election throughout all of Iran or just in a specific region or polling station if the election or components of the election are deemed to have been fraudulent.

For the municipal elections, complaints can be submitted by any individual through the completion of a complaint form, which is sent to the appropriate election executive committee within two days of the election. According to Article 55 of the Law on Municipal Elections, parliamentary officials examine the merits of complaints.

How is a winner determined?

The Iranian president is determined through an absolute majority. The person with 50 percent plus one of the votes is the winner. However, in cases where there is no absolute majority, the law calls for a run-off election between the two candidates with the most votes. The run-off election is mandated to take place within one week of the first round of elections.

Once a winner is determined, the Guardian Council approves the election process and the supreme leader signs off on the Letter of Presidency. The new president takes the oath of office before the Iranian Islamic Consultative Assembly (*Majles*).

For the municipal elections, the Iranian city and village council members are determined through a simple majority.

Resources

- ACE Project: A Primer on Iran's Presidential Election System
- IFES:"Duality by Design: The Iranian Electoral System" by Yasmin Alem (2011)
- IFES Election Guide – Country Profile: Iran
- Islamic Republic of Iran Constitution
- The Law on Islamic Consultative Assembly Elections
- The Law on Presidential Elections