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# **Elections in Iran**

## *2016 Majlis and Assembly of Experts Elections*

### Frequently Asked Questions

Middle East and North Africa

International Foundation for Electoral Systems

2011 Crystal Drive | Floor 10 | Arlington, VA 22202 | [www.ifes.org](http://www.ifes.org)

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# Frequently Asked Questions

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*Disclosure:*  
*These FAQs reflect decisions made by the Iranian election authorities, to the best of our knowledge as of February 18, 2016. This document does not represent any IFES policy or technical recommendations.*

## When is Election Day?

Election Day is on Friday, February 26, 2016.

## Who are citizens voting for on Election Day?

Citizens are voting for two bodies on Election Day – the 290-member Islamic Consultative Assembly (Iran’s Parliament, also known as the *Majlis*) and the 88-member Assembly of Experts.

This is the first time that elections for both bodies are being held simultaneously. In 2009, a law was passed postponing these Assembly of Experts elections (originally scheduled for 2014) in order to be held simultaneously with the scheduled 2016 *Majlis* election. This was done in order to [have elections in Iran only every two years](#) (presidential and Local Council elections are also held simultaneously), which was intended to reduce costs and increase voter participation.

## Why are these elections important?

These elections are important for a number of reasons. As noted below, Iran’s governmental system is a mix of elected and appointed bodies with varying degrees of political and religious responsibility and authority. The *Majlis* and the Assembly of Experts, both of whom will be elected in February, play a role in selecting the individuals who serve in the country’s non-elected positions with the greatest religious and political authority – the Supreme Leader of Iran and the Guardian Council.<sup>1</sup> The *Majlis* selects six of the 12 members of the Guardian Council<sup>2</sup> (who are nominated by the head of the judiciary).

Additionally, the Assembly of Experts, which is elected every eight years, is responsible for electing, supervising, and if necessary dismissing the Supreme Leader, who is the head of state, commander in chief, and a high-ranking religious figure in Iran.<sup>3</sup> Given that the Assembly of Experts is expected to serve

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<sup>1</sup> The Guardian Council is a twelve-member body composed of (1) six qualified theologians who are well versed in Islamic jurisprudence, and (2) six Muslim jurists who specialize in different areas of law. The Supreme Leader of Iran directly appoints the six theologians, while the six Muslim jurists are elected by a plurality vote in the *Majlis* from among a pool selected by the head of the judiciary, who is himself appointed by the Supreme Leader. Members serve for six-year terms.

<sup>2</sup> The Guardian Council has extensive religious and political authority, which includes reviewing and approving all legislation passed in the *Majlis*; evaluating statutes approved by the cabinet and other state organs to ensure their conformity with Islamic criteria; interpreting the constitution; and supervising the elections of the Assembly of Experts, President, *Majlis*, and referendums, including vetting and approving or rejecting parliamentary, Assembly of Experts, and presidential candidates.

<sup>3</sup> The current Supreme Leader, Sayyed Ali Hosseini Khamenei, has been in that position since 1989; given that the next Assembly of Experts is expected to serve through 2024, it may be that this Assembly will be responsible for electing the next Supreme Leader.

through 2024, it may be that this Assembly will be responsible for electing the next Supreme Leader, who could be selected from within their ranks.

Also, although the Supreme Leader and Guardian Council play a significant role in the ultimate composition of the *Majlis* and Assembly of Experts – through oversight, vetting, and appointment powers – the elections of the *Majlis* and Assembly of Experts represent a significant opportunity for Iranian citizens to make their voices heard.

Finally, this will be the first election in Iran since the recently-concluded nuclear agreement. Although this agreement is often analyzed within the context of international security concerns, it also will likely be of significant domestic importance in Iran and the Iranian electoral process may reflect domestic political tensions and debates over the agreement.

## **How many electoral constituencies have been established?**

There are 290 *Majlis* seats allocated to 207 constituencies. Constituencies vary in geographic size, but largely reflect a formula of one seat per 150,000 voters.

Currently the province of Tehran elects the highest number of *Majlis* deputies with 38 representatives, while the provinces of Ilam, South Khorasan, Qom and Kohkiluyeh and Boyer-Ahmad elect the least number of representatives, with three deputies each.

Of the 290 seats, 285 are directly elected, and one seat each is reserved for the following minority communities: Zoroastrians, Jews, Assyrian and Chaldean Christians, Armenian Christians in the north of the country, and Armenian Christians in the south of the country.

The 88 seats in the Assembly of Experts are divided among Iran's 31 provinces, with number of seats for each district allocated based on population size. However, candidates are not required to be from, or reside in, the province in which they are running, and in instances where the number of registered candidates in a province is equal to or less than the number of vacant seats, candidates from other provinces with confirmed qualification may change their location to that province.

## **What type of electoral system will be used?**

The *Majlis* elections employ a two-round electoral system. Electoral districts have one or more *Majlis* seat, depending on the population in that district. The candidate or candidates who receive the largest number of votes wins (candidates are only required to receive a plurality of the vote to win, not a majority), as long as that candidate(s) secures at least 25 percent of votes. Therefore, if in the first round of elections, one or more candidate fails to receive a majority or at least 25 percent of votes cast, a second round of voting is held. In a single-member constituency, the number of candidates who may run in the second round is restricted to twice the number of seats to be filled (i.e. two candidates), and in a multi-member constituency, the number of candidates in the second round is limited to one and a half times the number

of available seats (e.g., three candidates may run for two available seats). The candidates advancing to the second round will be those receiving the highest number of votes in the first round. The electoral system used in the second round is based on a straight run-off contest with the highest polling candidates filling the positions regardless of the vote achieved.

The Assembly of Experts election, on the other hand, uses a one-round, plurality electoral system. Under this system, the candidate who has secured the largest number of votes (not necessarily a majority) wins the election. Unlike in the Majlis elections, there is no minimum required percentage of the vote that a candidate must achieve; so, depending on how many seats are available in the district and the number of candidates who are running for the seat, the winning candidate may have a low level of support among voters in his or her district.

## **What are the eligibility criteria to stand as a candidate for the *Majlis* and Assembly of Experts?**

To stand for the *Majlis* elections, a candidate must be at least 30 and not more than 75 years of age. Candidates must also satisfy the following requirements:

- Belief in and practical obligation to Islam and the holy system of the Islamic Republic of Iran;
- Citizenship in the Islamic Republic of Iran;
- Expressed loyalty to the constitution and progressive principle of the Absolute Guardianship of the Jurisprudent (*Velayat-e Motlaq-e Faqih*);
- A document proving possession of at least an associate's degree (*fogh-e diplom*) or equivalent;
- Be in good physical health, including no limitations in vision, hearing, and speaking<sup>4</sup>; and
- Not having a bad reputation in the electoral district.

In addition, Articles 29 and 30 of the Law on Islamic Consultative Assembly Elections outline further requirements for those registering their candidacy for the *Majlis*. Among these requirements include a list of senior government and civil servant positions for which potential candidates must have resigned from

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<sup>4</sup> Iran acceded to the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2009; [Article 29 of the CRPD](#) states that “States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to ... (e)nsure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by ... (p)rotecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government ...” Although Iran’s candidate requirements would be in violation of the CRPD, Iran did note that “... the Islamic Republic of Iran declares that it does not consider itself bound by any provisions of the Convention, which may be incompatible with its applicable rules.”

at least two months prior to the election, as well as restrictions on candidacy for those who have certain criminal convictions, or who are known to have been affiliated with the former regime.

Under Iran's electoral system, individuals are required to nominate themselves, although they normally have close political affiliations with one of the two main political factions: reformists or conservatives. The candidate nomination period is seven days from the time the Ministry of Interior announces the start of the election process. Potential candidates must submit a completed candidate nomination application to the office of the local Governor/District Administrator within the allotted period.

Applicants then undergo an extensive and multi-layered vetting process prior for approval as official candidates for the *Majlis* election. In coordination with the Guardian Council, the Ministry of Interior first submits the compiled list of candidates to four different government authorities responsible for conducting identity, criminal, and security background checks for each candidate. The results of these checks are then shared at a local level with the Central Executive Committee (CEC) and the Provincial Supervisory Committee, who conduct additional checks before determining which candidates have been accepted or rejected to run for office. Rejected candidates are notified and may appeal to the CEC at this stage. Candidates approved by the CEC are submitted to the Guardian Council for final review before being publically announced. Candidates approved by the CEC, but rejected by the Guardian Council have 10 days to appeal the decision.

For the Assembly of Experts, candidates have a similar list of criteria they must possess:

- A reputation for religious belief, reliability and moral behavior;
- Ability to interpret Islamic law (*ijtihad*) to the extent that they can understand certain issues in Islamic jurisprudence (*feqh*) and can determine whether the Supreme Leader meets the conditions of leadership;
- A political and social understanding and familiarity with the issues of the day;
- Belief in the system of the Islamic Republic of Iran;
- Not having an anti-political and anti-social background.

As noted above, only individuals that possess *ijtihad* (the capacity to undertake independent reasoning under *Shariah* law) to the degree that they can understand contemporary issues can run for election. Beginning with the 2016 elections, all candidates for the Assembly of Experts, excluding incumbents, are required to pass a series of written exams to demonstrate their knowledge. While technically non-Muslim and female candidates are not excluded from registering as candidates for the Assembly of Experts, to date all of those that have applied have been disqualified during the vetting process (including 16 women who had registered for the 2016 election).

## **Which political parties have candidates in the election?**

Elections in Iran are candidate-centered, and individuals are self-nominated. Political parties are strictly regulated inside Iran. While political parties exist, and candidates may be aligned with them, the strict

laws and regulations governing them have led to the development of political factions which have been loosely divided into right (known as the conservatives or principalists) and left (reformists or modernists).

## Who registered to compete for the elections?

For the 2016 *Majlis* elections, 12,123 candidates initially registered to compete. Of that number, the Ministry of Interior's Executive Board determined that 90 percent met the eligibility criteria; however, when the list of approved candidates was announced on January 17th, only approximately 4,700 were approved by the Guardian Council. Those rejected had three days to appeal; the Guardian Council had until 20 days from the announcement to [review and investigate complaints before issuing a decision](#). The Guardian Council announced additional approvals on February 6th and 16th, bringing the total number of eligible candidates to 6,229, including 586 women.

On Tuesday, January 26th, the Guardian Council announced that of the 794 candidates that had registered for the 86 available seats in the Assembly of Experts, [just 161 had been approved](#). In six provinces, with a total of nine available seats (Hormozgan, Semnan, Bushehr, Northern Khorasan, Western Azerbaijan and Ardebil), candidates are running without a rival.

## What are the rules on campaigning?

For the *Majlis* elections, the official campaign period begins eight days before and ends 24 hours before Election Day. The election law stipulates the following provisions governing campaign activity:

- It is illegal to destroy the 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 of a designated campaign rally;
- Campaigning activity through the Islamic Republic of Iran's National Broadcasting, Friday prayer sermons, or any other official government organs are prohibited;
- Making use of government resources including the resources of state-owned and public companies, *bonyads* (foundations), and any organizations with a public budget to campaign for or against a candidate is illegal; and
- 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 electoral 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 laws are subject to prosecution and fines.

The official campaign period for the Assembly of Experts is slightly longer, beginning 15 days prior to Election Day and lasting up until 24 hours before polls open. While many of the same guidelines for campaigning are in effect as for the *Majlis* elections, for the Assembly of Experts, a Supervisory Committee



on Experts' Political Advertisements is formed in each province to oversee the production and deployment of each candidate's advertisements, and ensure that candidates have equal access to government resources.

## **Are the media subject to regulations when covering the electoral campaign?**

Private media can advertise in favor of candidates. However, any advertising in favor of candidates is forbidden in the 24-hour period before elections commence. Private media cannot write articles against candidates, or incorrectly report that a group or individual has withdrawn from an election. Additionally, negative ads are forbidden.

Any campaign activity by the Islamic Republic Radio and Television Broadcasting is prohibited starting from the date of the official announcement of *Majlis* candidate names. Additionally, publications and newspapers belonging to organizations, ministries, offices, entities, and institutions affiliated with the government or that use a public budget, cannot accept advertisements from candidates.

## **What are the rules for campaign finance?**

Iran does not have rules explicitly regulating campaign finance. Campaigns are generally prohibited from using any government-related funds for election purposes. There is a bill before the *Majlis* clarifying campaign funding regulations but its status is not clear at the time of writing.

## **How many eligible voters are there?**

Since Iran does not have a voter registration system it is difficult to pinpoint how many eligible voters there are in the country; however, any Iranian citizen who is at least 18 years of age can vote. Based on estimates of Iran's population in 2016 and estimates on the number of citizens aged 18 or older, it is likely there will be approximately 54.9 million eligible voters for the 2016 elections.

## **What is the legal framework for elections in Iran?**

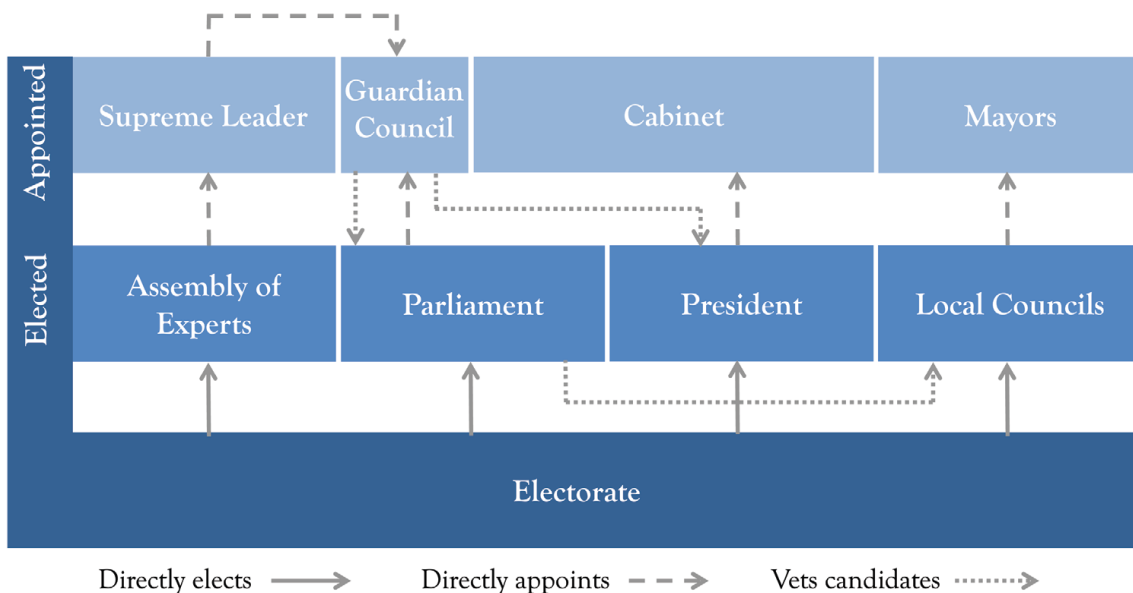
The Constitution of the Islamic Republic of Iran – as promulgated in 1979 and amended in 1989 – and five electoral laws provide the legal framework for governing elections. There are two electoral laws that specifically provide the legal framework governing the *Majlis* elections, the Law on Islamic Consultative Assembly Elections and the Law on the Guardian Council's Supervision of the Elections of Islamic Consultative Assembly. Drafted by leading members of the Revolutionary Council, the Law on Islamic Consultative Assembly Elections was first adopted in 1980, and has undergone many amendments since then. The Law on the Guardian Council's Supervision of the Elections of Islamic Consultative Assembly serves as a supplement to Article 99 of the constitution. The law outlines the Guardian Council's

supervisory rights and outlines the tiers of supervisory committees established for each election, as well as provides the composition, duties and limitation of power for the supervisory committees.

The Assembly of Experts was established in 1982 under Article 108 of the constitution. The Law on the Assembly of Experts, as well as the Executive Bylaws for the Election of the Assembly of Experts of the Leadership (approved in 1982 and modified in 1986) serve as the legal basis for the administration of the Assembly of Expert Elections. As with the *Majlis* elections, the Guardian Council is responsible for the overall supervision of the elections of the Experts.

## What is the structure of the government?

The Islamic Republic of Iran is a hierarchy ruled by an Islamic jurist.<sup>5</sup> There are four elected institutions permitted under the constitution, and according to Article 6, “the affairs of the state shall be managed by relying on public opinion, and through elections such as the election of the president, the representatives of the Islamic Consultative Assembly, and the members of the local councils or through referendum.”



## Are there reserved seats for women for the upcoming elections?

There are no seats that are reserved for women in the *Majlis* or the Assembly of Experts. While the constitution guarantees equal rights for women and men, the number of women elected to the legislature has generally been low. Since the first *Majlis* elections in 1980, women candidates have been elected;

<sup>5</sup> A jurist is an individual who is learned in law and is qualified to advise on legal matters.

however, the number has ranged from as low as three (1% of seats in the 1988 elections) to as high as 14 (5% of seats in the 1996 elections). There has never been a female representative elected to the Assembly of Experts.

## What is the election management body? What are its powers?

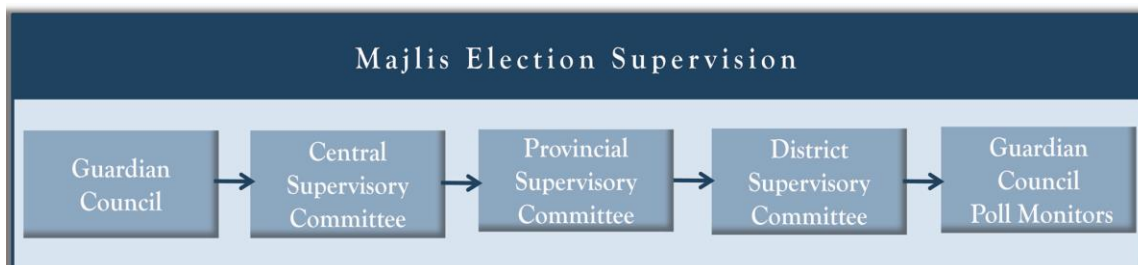
Iran's constitution makes no reference to the type, composition, and responsibilities of Iran's election management bodies with the exception of Article 99, which states "The Guardian Council has the responsibility of supervising the elections of the Assembly of Experts for Leadership, the presidency,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

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

The Guardian Council is a twelve-member body composed of six qualified theologians (appointed by the Supreme Leader of Iran), and six Muslim jurists (nominated by the head of the judiciary and elected by a plurality vote in the *Majlis*) who specialize in different areas of law. Their term of office is six years, with half of the membership changing every three years based on a random draw. In addition to their extensive legislative and executive jurisdictions, the Guardian Council also has the duty of supervising the elections of the Assembly of Experts, President, *Majlis*, and referendums; its supervisory powers include:

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

The Guardian Council carries out its monitoring activities by establishing supervisory committees during presidential and parliamentary elections.



The Ministry of Interior administers all election-related activities under the supervision of the Guardian Council. While temporary national and local bodies – established at the start of the election cycle – conduct the implementation of voting, a permanent Election Office in the Ministry of Interior plans and organizes the logistical aspects of national and local elections. This includes:

- Drafting and finalizing election budgets;
- Planning of electoral logistics and the design of a timeline for each election;
- Advising on the delimitation of electoral districts boundaries;
- Issuing manuals to local electoral bodies with guidelines for the conduct of elections;
- Printing and distributing ballots;
- Advising and making recommendations to the legislature on electoral reform issues;
- Archiving electoral documents; and
- Determining the number of eligible voters.

At the start of the election cycle, the Minister of Interior establishes the Central Executive Elections Board (CEEB). In parallel, Provincial Election Commissions are established to coordinate activities between the CEEB and local Executive Committees, which are set-up in each of Iran's 207 electoral districts to assist with the implementation of electoral procedures. The function and responsibilities of the Executive Committees are:

- Deciding the number and location of polling stations;
- Conducting voter information, including informing the public about the election date, voting hours, voting station locations and voter eligibility;
- Ensuring the implementation of electoral rules and regulations outlined in the law; and
- Appointing polling station officers.

## **How many polling places are set up on Election Day?**

It is not known at this point exactly how many polling places will be set up on Election Day. However, for the June 2013 presidential and local council elections, where approximately 50.3 million Iranians were eligible to vote, approximately 60,000 polling places and 130,000 ballot boxes were used. Therefore, there may be an increase in the number of polling places to accommodate the increased number of eligible voters. A voter can go to any polling station, as long as they have the required identification (birth certificate, or *shenasnameh*).

## **Is out-of-country voting allowed?**

Out-of-country voting is not held for elections for the *Majlis* or the Assembly of Experts. However, it is held for presidential elections and referenda. When it is held, out-of-country voting takes place in Iranian consulates or embassies, and voters must present a valid passport as a means of identification.

## **How will voters with disabilities be accommodated during the electoral process?**

No specific rule exists for voters with disabilities. However, [according to its disabilities rights law](#), the government should protect and assist voters with disabilities as they cast their ballots. Moreover, voters with disabilities are entitled to ask a family member or other trusted persons to assist them in casting their ballots. However, no polling station staff, government or political representatives may assist voters with casting their ballots.

## **What technology will be used?**

The Ministry of Interior has asked the Guardian Council to approve its software for counting the ballots electronically. However, as of now, the Guardian Council has not approved the software. Thus no specific technology will be utilized for the February 2016 elections and the process of counting the ballots will be manual.

## **Does the government carry out voter information or education campaigns?**

Islamic Republic of Iran Broadcasting (IRIB) is mandated to broadcast educational programs that are related to the elections through television and radio; these are programs that either the Ministry of Interior or the central Supervisory Board decide are essential. The IRIB must also explain the role of the *Majlis* as well as the responsibilities of its members. Additionally, IRIB is required to broadcast all declarations and notifications related to the elections, on either the national channel or local channels.

## **Who will be/can observe during Election Day?**

Iran does not permit domestic or international observers to monitor the electoral process. Accredited candidate agents can be present in polling stations during voting hours and the election count.

## **How will Election Day security be ensured?**

The police are responsible for the physical security at the polling stations as well as for the protection of the ballot boxes. However, they do not have the right to intervene in executive or supervisory affairs of the elections. In the event that additional assistance is required, election authorities may assign the military to provide support.

## What are the basic rules for Election Day?

By law, voting for the *Majlis* elections takes place across all electoral districts on a Friday, which is designated as an official holiday. The voting period takes place over 10 hours, but can be extended by the Minister of Interior should the voter turnout warrant it.

Before the start of voting, the ballot boxes will be emptied, closed, and sealed with the seal of the Supervisory Board of the electoral district. Representatives from the Supervisory Board will then certify in written minutes the number of ballot boxes as well as their being empty.

For each polling station, the Executive Committees must establish a Polling Station Committee comprised of between five and seven trustworthy and literate individuals. Additionally, in each polling station a representative of the Governor/District Administrator and a poll monitor from the Guardian Council are present at all times. Accredited candidate agents (to monitor the process) can also be present during voting hours and the count.

Since Iran does not have a voter registration system, electors can vote anywhere as long as they present their birth certificate, or *shenasnameh*. When a voter enters a polling station, their *shenasnameh* is checked for voter eligibility.

The Election Office designs and distributes a unique election stamp among all of the polling stations in the country. The polling station officers are required to examine the voter's *shenasnameh* to ensure that an election stamp from the current elections does not already exist in it. Once the voters cast their ballot into the designated ballot box, a polling officer stamps their *shenasnameh*.

In September 2015, the *Majlis* changed the law and mandated the Ministry of Interior to hold the *Majlis* and Assembly of Experts elections on the same day. In case another election is being held at the same time as the *Majlis* elections, by order of the Ministry of Interior, one registration and voting station will be used for both elections with the same poll workers but with separate ballot boxes.

## How are the results tabulated and announced?

The counting process commences as soon as the polling stations close. Vote counting is conducted manually. Only the Polling Station Committees and representatives of the Guardian Council, county and district Governors and candidate agents are [permitted to be present during this process](#) (however, the presence of candidate agents is not mentioned in the Assembly of Experts law or procedures regarding those elections). Once the votes are counted and results tallied, the polling station members along with representatives of the Guardian Council and county and district Governors prepare minutes and transfer a copy of this along with excess voting material and ballots to the Central Executive Committees (in each electoral district). A copy of the meeting minutes and the election results – for each polling station – is then sent to the county and district Governors, who in turn send a copy of the final election results and meeting minutes to the Guardian Council and the National Election Commission. The county and district

Governors can then announce the results via mass media. The official results are announced by the Ministry of Interior after the elections. The Guardian Council should [subsequently approve the results](#).

## **How will election disputes be adjudicated?**

Electoral District Executive Committees (established by the Ministry of Interior's National Election Commission) can accept any complaints and must work jointly with the Electoral District Supervisory Committee (established by the Guardian Council's Central Supervisory Committee) to address any complaint within seven days. Complaints can be submitted until up to two days after the election. Should the Electoral District Executive and Supervisory Committees find that electoral affairs in a polling center have not been conducted properly, the Electoral District Executive Committee can invalidate the results if it has been determined that doing so will not change the outcome of the election in that district; if it would change the election, the decision rests with the Guardian Council. In any case where the Guardian Council decides to suspend or invalidate an election in a district, that decision can only be made by an absolute majority vote of the Council. Additionally, complaints about the overall manner in which the elections have been conducted can also be submitted directly to the Guardian Council within seven days of the election.<sup>6</sup>

## **What is the role of the judiciary in the electoral process?**

The judiciary does not play a role in the electoral process in Iran.

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<sup>6</sup> See Law for the Elections of the Islamic Consultative Parliament (*Majlis*), Chapter 8: [Complaints and Means of Addressing Them](#).

## Resources

- [Duality by Design: The Iranian Electoral System](#), International Foundation for Electoral Systems
- [Iran Data Portal](#), Princeton University
- [Iran Tracker](#), American Enterprise Institute
- [The Iran Primer](#), United States Institute of Peace
- [Majlis Monitor](#)