

Statement No. (20)

Subject: The Absence of Standardization in Candidate Exclusion Processes Threatens the Legitimacy of Elections

The Electoral Expertise Center has been closely monitoring the course of the electoral process and expresses its deep concern regarding the recent expansion by the Independent High Electoral Commission (IHEC) in excluding a number of candidates, and the subsequent endorsement of these decisions by the Judicial Authority for Elections, despite their inconsistency with the Authority's own previous established rulings. This approach raises serious questions about the extent to which the principle of stability of judicial rulings and the safeguarding of legal security are being respected.

The Center recalls that the Judicial Authority for Elections had previously defined the condition of "good conduct and reputation," stipulated under Article (7/Third) of the amended Election Law No. 12 of 2018, in its Decision No. (21) issued on August 25, as follows: "*Good conduct and reputation shall not be negated for a candidate except by a final judicial ruling convicting him of a crime involving moral turpitude or corruption, even if such conviction has been covered by an amnesty.*" It is a well-established legal principle that "*a restriction may not be expanded in its interpretation when it is applied against the rights of the candidate.*" Any deviation from this principle constitutes a breach of the binding force of judicial rulings and a departure from the principle of standardization.

In this regard, the Center expresses its astonishment at the exclusion of candidates such as *Sajad Salem, Khalid al-Mufraji, Yazan al-Jubouri, Haider al-Mulla, and Mohammed al-Daini*, on the basis of procedures inconsistent with the judicial criteria already established. Such actions create the impression that the standards of exclusion are selective and not grounded in clear legal foundations.

These practices undermine public confidence in the electoral process, threaten the principle of equality among candidates, and open the door widely to legal and constitutional challenges that could jeopardize the legitimacy and recognition of the elections both domestically and internationally.

Accordingly, the Electoral Expertise Center stresses the need for both the Commission and the Judicial Authority to strictly adhere to the established judicial rulings and to adopt consistent and transparent standards in all matters related to the rights of candidates and voters, in order to safeguard the integrity of the elections and protect the democratic process.

Administration of the Electoral Expertise Center for Studies and Training
8 October 2025