



The Federal Supreme Court (F S C) has been convened on 10.10.2017 headed by the Judge Madhat Al-mahmood and membership of Judges Farouk Mohammed Al-Sami, Suleiman Abdullah Abdul-Samad, Akram Taha Mohammed, Akram Ahmed Baban, Mohammed Saib Al-Nagshabandi, Aboud Salih Al-Temimi, Mikael Shamshon Qas Georges and Hussein Abbas Abu Altemmen who authorized in the name of the people to judge and they made the following decision:

The Request

The general secretariat of the ICR/ parliamentary office referred to the FSC according to its letter numbered (1/9/10810) on 10.9.2017 the request of the representative (mim.ra.dad.jim) as following texts:

We refer to you the request of the representative (mim.ra.dad.jim) to inquire about his question which includes (is it allowed to whom was included with general amnesty law No. (19) For 2008 of a corruption case to be included again with the general amnesty law No. (27) For 2016 of two cases related to offence of wasting public funds and spend prison period penalty. And if he was included with the law No. (27) for 2016 and he paid the fine of the funds he wasted, which means he is involved in corruption, so, is it possible that he can return to his post as a mayor after he lost one of conditions to excuse this post, which stipulated on, and related to well career and demeanors). With respect.

The request set to be scrutinized and deliberation by the FSC and the reached the following:

The decision

After scrutiny and deliberation by the FSC, the court found that the FSC specialties are determined in article (93) of the Republic of Iraq constitution for 2005 and in article (4) of the FSC law No. (30) for 2005 not among it to state what he demanded to inquire about in his request,

whereas giving opinion refers to the body that the law determined its specialty in this field, and the specialty of the FSC is to interpret the constitution's texts but not interpreting the law. Therefore, the court decided to reject the request for Non-competence. The decision issued unanimously and decisively according to article (94) of the Republic of Iraq constitution for 2005 on 10.10.2017.