



The Federal Supreme Court (F.S.C.) has been convened on 13. 1 .2022 headed by Judge Jasem Mohammad Abod and the membership of the judges Sameer Abbas Mohammed, Ghaleb Amer Shnain, Haidar Jaber Abed, Haider Ali Noory, Khalaf Ahmad Rajab, Ayoub Abbas Salih, Abdul Rahman Suleiman Ali, and Diyar Muhammad Ali who are authorized to judge in the name of the people, they made the following decision:

The Requester for the Custodian Order issuing:

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| 1. Basem Khazal Khashan | } | their attorney, Ahmed Saeed Musa. |
| 2. Mahmoud Dawood Yassin | | |

The Requested for the Custodian Order to issuing (agents him):

Speaker of the Council of Representatives/being in his capacity.

The Request:

The two applicants for the issuance of the custodian order through their representative in the two regulations submitted on 11/1/2022 and their conclusion claimed that the first session of the Iraqi Council of Representatives for the fifth electoral cycle held on 9/1/2022, which resulted in the election of Representative Muhammad Rikan Hadid Al-Halbousi as Speaker of the Council of Representatives, was marred by constitutional and system violations and violations of the bylaw of the Iraqi Council of Representatives, and he requested a request from the FSC

to issue a custodian order to stop all measures taken and taken by the Council of Representatives, the Speaker and his two deputies, until the two lawsuits filed by each of them before this court are resolved with the two numbers (5/federal/2022) and (6/federal/2022) regarding the challenge to the constitutionality of the first session and all the legal procedures that were issued in it, including the procedures for electing the president and his two deputies. This court placed the aforementioned requests under review and deliberation and issued the following decision:

The Decision:

After scrutiny and deliberation by the FSC it was found that the requester for the issuance of the custodian order, Deputy Basem Khashan , submitted a request to issue a custodian order, which was registered with this court No. (1/federal/custodian order /2022), which includes a request to stop all the procedures that he took and are taking by the Council of Representatives until the settlement of the lawsuit filed with this court by him A dispute regarding the Speaker of the Council of Representatives/ being in his capacity which is registered in No. (5/federal/2022) and Representative Mahmoud Dawood Yassin also submitted a request to this court registered in No. (2/federal/custodian order/2022), which also includes a request to stop all actions taken by the Speaker of the Council of Representatives and his two deputies until the settlement of the lawsuit filed with this court by him, arguing with the Speaker of the Council of Representatives/ being in his capacity which is registered in No. (6/federal/2022), because the aforementioned two requests are related to a subject and a reason, this court decided to unify them and consider them together, and in view of the fulfillment of the formal aspects of the submitted requests and after reviewing the facts of the requests and their grounds, and since the constitutional judiciary has general jurisdiction in constitutional matters in accordance with the

provisions of Article (93) of the Constitution of the Republic of Iraq for the year 2005 and after deliberation and based on the provisions of Article (151) of the Civil Procedures Law No. (83) of 1969, as amended, which stipulates that: (Whoever has the right to obtain an order from the court to carry out a specific act according to the law, may request the competent court to issue this order in case of urgency by submitting a petition to the competent judge). Since the decisions taken in the custodian orders are temporary, they are issued without litigation and cannot be considered as rulings. Therefore, the authority of the custodian order is temporary within the limits of the case under which that decision was issued and its temporary description that characterizes the custodian order ends when it comes to the origin of the right from the trial court, where it came in the reasons for the civil procedure law (the judicial judge's job is to separate the litigants after assessing their rights and duties, even if it is an outward estimation by which the origin of the right is felt, and his jurisdictional function is limited to Taking precautionary and temporary measures are purely administrative measures.) Accordingly, and for all of the above, the FSC decided to temporarily suspend the work of the Presidency of the Council of Representatives elected in the first session of the Council of Representatives held on 9/1/2022 until the cases (5/federal/2022) and (6/federal/2022) are resolved, and the decision was issued by agreement, final and binding on all authorities, based on the provisions of Article (94) of the Constitution of the Republic of Iraq for the year 2005 and Article (5) of the FSC Law No. (30) of 2005 amended by Law No. (25) of 2021, on 9/Jumada al-Akhirah/1443, coinciding with 13/January/2022.

Signature of

The president

Jasem Mohammad Abod

Signature of

The member

Sameer Abbas Mohammed

Signature of

The member

Ghaleb Amer Shnain

Signature of
The member
Haider Ali Noory

Signature of
The member
Haidar Jaber Abed

Signature of
The member
Ayoub Abbas Salih

Signature of
The member
**Abdul Rahman
Suleiman Ali**

Signature of
The member
**Diyar Muhammad
Ali**

Signature of
The member
**Munther Ibrahim
Hussein**