

(Translated from Arabic)

IN THE NAME OF GOD, MOST GRACIOUS, MOST MERCIFUL

Republic of Iraq  
Federal Supreme Court  
Ref. 217/federal/2018 unified with  
15 /federal/2019



Kurdish text

The Federal Supreme Court (F.S.C.) has been convened on 20/5/2019 headed by the Judge Madhat Al-Mahmood and the membership of Judges Farooq Mohammed Al-Sami, Jaafar Nasir Hussein, Akram Taha Mohammed, Akram Ahmed Baban, Mohammed Saib Al-Nagshabandi, Abood Salih Al-Temime, Michael Shamshon Qas Georges and Hussein Abbas Abu Al-Temmen who are authorized in the name of the people to judge and they made the following decision:

The Plaintiff in case (217/federal/2018):

Khalida Khalil Rashou (candidate of  
the Kurdistan Democratic Party/184)

The Plaintiff in case (15/federal/2019):

Mohammed Farman Shaher

Their agents the attorneys:  
Hazem Rasool Al-Saffar.  
Amer Shaker Al Ali.

The Defendant: the Speaker of the parliament/ being in this post - his agents the legal officials the director Salim Taha Yasein and the assistant legal advisor Haytham Majid Salim.

Third person for clarification:

1. Independent High Electoral Commission- its agent is the legal officer Ahmed Hassan Abd.

2. The member whom his membership validity is under objection in (217/federal/2018): Safwan Bashir Younis.
3. The member whom her membership validity is under objection in (15/federal/2019): Siham Abbas Ali her agent the attorney Jawad Kazem Hawis.

### The Claim:

The agent of the Plaintiff in the case (217/federal/2018), claims that the council of representative (I.C.R.) decided to reject his client appeal against the validity of the membership of the member (MP) Safwan Bashir Younis during the session No.(10) on 6/October/2018, and she challenged the mentioned decision before the F.S.C. according to article (52/2<sup>nd</sup>) of the constitution for the following reasons:

First: the I.C.R. is obligated to approve the validity of the membership of its members according to the text of article (52/1<sup>st</sup>) of the constitution, as the constitution is the preeminent and supreme law and no lower law may limit it, and the intended by approving the validity of membership is to ensure that the seats of the I.C.R. are not occupied by those who do not represent the people, or who have violated their will, or obtained the seat contrary to the law, The defendant is obligated to go into the safety procedures which delivered the MP whom his membership is under objection to the I.C.R. including the implementation the provisions of the I.C.R. seats distribution system. As the Board of Commissioners retracted its decision No.(19) on 18/5/2018 where his client was declared as a winner after allocating two seats for women from the seats on her election list which obtained six seats, after that the Board of Commissioners issued the decision No.(69)

on 9/8/2018 which include the elimination of his client by allocating one seat for women from the six seats of her election list, contrary to the text of the system which determine two seats for women.

Second: the F.S.C. is competent to consider disputes arising from the implementation of federal laws, and under the article (93) of the Constitution its competent to consider appeals against the decisions of the I.C.R., and that was confirmed by its decision No. (69/federal/2017), also the case concerns a dispute arising from the implementation the code No.(11) for 2007 which is valid federal code, and the implementation of the I.C.R. seats distributing system No.(12) for 2018 article (2/Beh/1,2,3) of the third step of the mentioned system, and violated the provisions of paragraphs (5<sup>th</sup> and 8<sup>th</sup>) of article (8) of the code No.(11) for 2007, so that was a reason for repealing the decisions of the judiciary Commission of the elections for violating the procedures of considering the electoral appeals for what listed in the mentioned code. According to that the agent of the plaintiff requested the F.S.C. to judge by repealing the decision that is under appeal. After the registration of this case for this court and the defendant was informed by the case petition, his agents replies with the answering draft dated 16/12/2018 which stated that the distribution of the quota of women is a technical and legal process carried out by the Independent High Electoral Commission after taking into account all the winning lists, and it granted the parliamentary seat for the MP (Safwan Bashir), and the F.S.C. has ratified the election results, therefore the plaintiff was supposed to resort her objection to the competent judiciary commission in the court of Cassation in accordance with the law of the High Electoral Commission and the I.C.R. elections law, therefore the decision of the I.C.R. dated 6/12/2018 is in accordance with the law and the constitution. So they requested to reject the

case as the court lack the jurisdiction to consider it according to article (93/1<sup>st</sup>) of the constitution. The agent of the plaintiff replied with the answering draft dated 17/1/2019 and its attachment the correcting draft dated 24/1/2019 stated that the defendant denies any function for the F.S.C. in the supervision over the proceedings which deliver the MP to the I.C.R., this claim is repelled and violated what the court follows in its decisions which ruled by the invalidity decisions of the I.C.R. to reject the appeals against the validity of the membership of members, whose membership was challenged for violating the procedure through which they become a members of the I.C.R. including (73/federal/2011), and that the insistence of the decisive of the decisions of the mentioned Commission about the text of article (52) of the Constitution concedes as repealing of a constitutional text by the text of paragraph (7<sup>th</sup>) of article (8) of the high electoral Commission law No.(11) for 2007, and that conflicts with article (13) of the constitution which stipulated that the constitution is the superior and supreme law and no law shall be enacted that conflicts with its provisions. After completing the required procedures according to the F.S.C. Bylaw No.(1) for 2005, the date 28/1/2019 was set to proceed with the case, the agents of the parties attended, the agent of the plaintiff repeated the case petition and request to judge for what listed in it, the agents of the defendant repeated what listed in the answering draft and requested to reject the case, also the agent of the defendant stated that the MP Safwan is in the courtroom and has been called upon and he attended, the court introduced him as a third party, he clarified that he leaves it to the court to implement the law, the court scrutinized and decided to introduce the Independent High Electoral Commission as a third party in the case to inquire from it what is necessary to make a decision in the case according to article

(68/4) of the Civil Procedure code. The third party for clarification the independent high electoral commission has reply with the draft No.(Kha/19/146 on 4/3/2019) with include that by not allocated an additional women's quota for the Kurdistan Democratic Party is because that the victory coalition that won the first sequence on the governorate of Nineveh has got two seats (women) as a result for dividing the number of it seats on three, and after this division the allocated ratio for the quota is complete, and no need to go further to the rest of the winning lists. The text of article (52/1<sup>st</sup>) of the constitution is related to the jurisdiction of the I.C.R. regarding the disputes of the appeals against the validity of the membership in the I.C.R. which is stipulated in article (13) of chapter three of the I.C.R. bylaw, and that the membership of the MP Safwan is valid as he perform the constitutional Oath, the decisions of the Electoral Judiciary Committee to reject the appeal of the plaintiff against the decision of the board of commissioners, are decisive and can't be appealed by any form. As the court has already decided in the cases No.(180/federal/2018) and (181/federal/2018) that the third step of the seats distributing system is proper implementation for the article (49/4<sup>th</sup>) of the constitution, therefore he requested to reject the case. The court was convened on 11/3/2019 and found that the case subject contain technical defect that required to resort one or more experts to clarify it, therefore the it commissioned the parties to elect an expert, and they agreed on the expert Adel Al-Lami, and as he was attend on the occasion of another case, the court has been invited him and notified him about the task assigned to him, which is the declaration the quorum of the quota of women, and were it was complete without the plaintiff or not. The agent of the plaintiff submitted draft inform by it the parties, and it was linked to the case document. The expert submitted its report on 3/April/2019 which

the following (the process of allocating one of the women seats violated the seat distribution system No.(12) for 2018, as one seat was allocated for women from the allocation of the National Party of the masses which won two seats for the men, based on paragraph (4/Beh/2) of the third step from the mentioned seat allocation system, without consumption the allocation of women's quota under the aforementioned paragraphs on the paragraph (4/Be/2) of the third step, which stipulated that (4- if the required women seats are not completed according to what listed above, a seat for women shall be allocated from...), it was supposed to complete the required seats for women according to the implementation of paragraph (1/Beh/2) of the third step of the mentioned system, which states that (1- the allocation of each list of women is determined by dividing the number of seats allocated to the list on 3, however the decimals must be eliminated.), according to this paragraph two seats was allocated for the list of Coalition of victory who won seven seats ( $7 \text{ seats} \div 3 = 2.333$  , and after eliminating the decimals = 2 seats for the women), the same equation was should have been implement on the list of the Kurdistan alliance who won six seats ( $6 \text{ seats} \div 3 = 2 \text{ seats for the women}$ ), by that the allocations of women seats is completed without having to jump to paragraph (4/Beh/2) of the third step. Note that after reviewing the results of the elections for previous years, all the lists who obtained six seats, allocated two seats for women.). On 8/4/2019 the court was convened, the agent of the plaintiff replied that the report came in accordance with the law and requested to be taken, the agents of the defendant has been replied with answering draft stating that the court lake the jurisdiction to review the case, and requested in another paragraph of it to elect three exports, because according to him the expertise report neglect the adopted context by implementing the I.C.R.

elections law and the system, The commission deputy comment that the report was not accurate, and reported paragraphs that did not exist in the system No.(12) for 2018, and did not pay attention to the text of paragraph (2/Beh) of the system which stipulate that if the ratio of women in the list is not achieved, the following is followed to complete the ratio, and the concept of the violation here if the ratio is achieved in the list by dividing by four and is not referenced by dividing by three, as the subject of the case is about the Constitutionality or unconstitutional of the system and its implementation by the Commission, and that the expert has been discussed in his expertise other than what he was assigned for, and he agree with electing three experts. The court noticed that the case No.(15/federal/2019) which is submitted before it by the plaintiff Mohammed Farman Shaher against the defendant the Speaker of the parliament/ being in this post, his agent claimed in it that on 23/January/2019 in the session of the I.C.R. No.(28) a decision has been made to reject the appeal of his client against the membership of the MP Siham Abbas Ali, therefore he initiate an appeal against the decision of the I.C.R. before the F.S.C. according to article (52/2<sup>nd</sup>) and (93/3<sup>rd</sup>) of the constitution for the same reasons and substantiation which the plaintiff has shown in the case (217/federal/2018) in terms of proving the competence to consider the appeal, and that the board of commissioners was announced by the decision No.(19) on 18/5/2018, the winning of his client by one of the I.C.R. seats in Nineveh governorate, where the council allocate two seats for the women from the seats of the Kurdistan Democratic Party, and did not allocate any of his list's seats, the National Party of the masses list which won two seats, but the council retract this decision after the manual counting and sorting, without changing the results in Nineveh governorate, and issued its

decision No.(69) on 9/8/2018 and allocated his seat to the candidate (Siham Abbas Ali) violating by that the provision of I.C.R. seats distributing system No.(12) for 2018, claiming that the failure to meet the required seats for women in the governorate of Nineveh after the implementation the provisions of article (1) and article (2/Alif), requires the resorting to article (2/Beh) which begins with the allocation of women seats from the seats of the lists that got three seats or more, thus, the seats required for women are completed without the need to allocate his client seat for women. Therefore requested the F.S.C. to judge by repealing the decision of the I.C.R., and to judge by invalidity the membership of the MP whom her membership is under objection. After informing the defendant by the case petition, his agents replied with the answering draft dated 11/3/2019, and showed the same argument that they listed in the case (217/federal/2018), and requested to reject the case because the court lack the jurisdiction to consider the case. The court convened on 10/4/2019 the agents of the parties has attended and proceed with the case in presence and publicly, the agent of the plaintiff repeated what listed in his case petition and requested to judge according to it, the agents of the defendant repeated what listed in the answering draft and requested to reject the case, and requested to introduce the electoral commission and the MP Siham Abbas Ali as third party in the case to clarify from them for what is required to take a decision. The MP Siham was there in the courtroom. The court scrutinize the request and found that it is in accordance with the law and decided to accept it, the MP Siham Abbas Ali has attend and comment that she was the sixth in her list, and if that seat is the right of others according to the law, there is no objection on the implementation of the law, and intended in governorate of Nineveh as a whole. The independent high electoral



commission replied with the draft that dated (2/5/2019) which included the indicate to article (12) of the I.C.R. election code No.(45) for 2013, and the third step of the I.C.R. seats distributing system No.(12) for 2018, the allocation of additional seat of women quota for the party of the national masses caused by that the victory coalition who won the first place in the governorate of Nineveh has got two seats (women) as a result for dividing the number of its seats on three, and after this division the allocated ratio for the quota is completed and there is no need to go to the rest of the winning lists. The plaintiff has already challenged the board of commissioners' decision No.(69) on 9/8/2018 before the judiciary commission of the elections and issued its decision to reject the appeal, as its decisions are decisive and can't be challenged. The F.S.C. previously issued the decision (180/federal/2018) and (181/federal/2018) that the third step is proper implementation for the article (49/4<sup>th</sup>) of the constitution and requested to reject the case. On 6/5/2019 the court convened the agent of the plaintiff stated that he request to unified this case No.(15/federal/2019) with the case (217/federal/2018), he pointed out that there is no conflict between the two plaintiffs in the cases, therefore the court decided to unify the two cases and to consider the case (217/federal/2018) the original because it is the former in initiation. The court convened on 7/5/2019 and noticed that it has decided to unify the case (15/federal/2019) with the case (217/federal/2018) and to consider it the origin, the agent of the plaintiff Khalida Khalil Rashou submitted draft and recite it in the session dated 7/5/2019. According to the court assigned in the session dated 7/5/2019, the agent of the plaintiffs the attorney Amer Shaker Al Ali submitted explanatory draft in the unified cases dated 12/5/2019 explained in it what the court requested, which included the following: The two

cases concern the distribution of women's quota seats in the electoral district of Nineveh governorate, which has 34 seats, three of it are allocated for Minorities quota, and 31 seats are public seats, but that at least eight of them shall be allocated for women in accordance with the constitutional text mentioned in article (49/4<sup>th</sup>), and also the text of paragraph (2) of the third step of the I.C.R. seats distributing system No.(12) for 2018. That the number of seats subject to the dispute in these cases are, (one seat) was dedicated to the candidate (Khalida Khalil Rashou) winner from the list of the Democratic Party of Kurdistan according to the results announced by the independent high electoral commission on 18/5/2018 which included that the Democratic Party of Kurdistan list has obtained six seats, two seats of it allocated for women, one of them is for the candidate the plaintiff (Khalida Khalil Rashou). (the other seat) the subject of the case was allocated for the candidate (Mohammed Farman Shaher) the winner from the list of the national masses according to the results announced by the independent high electoral commission on 18/5/2018, this distribution is agreed with the provisions of the seat distribution system No.(12) for 2018. However, after the validity of the third amendment law to the I.C.R. elections law, and the assumption of the judges assigned to the management of the high commission, the decision No.(69) was issued on 9/8/2018, which include re-distributing the seats of women quota allocated for the winners from the Nineveh governorate which replaced the winning candidate the plaintiff (Khalida Khalil Rashou) with the candidate whom his membership validity is under challenge within the same list (Safwan Bashir Younis), and also replacing the winning candidate the plaintiff (Mohammed Farman Shaher) from the list of national masses with the candidate whom her membership validity is under challenge

(Siham Abbas Ali) within the same list. These two changes have resulted from a mistake signed by the assigned board of Commissioners, as it violated the seats distribution system No.(12) for 2018 the third step (calculate the quota of women), noting that counting and sorting processes did not produced any change in the votes number for the lists and the candidates. There is no conflict between the interests of the plaintiffs in the unified case. The number of votes was not taking into account in the list of the Democratic Party of Kurdistan, which got approximately 140 thousand votes, where the Party of the masses got 54 thousand votes, as the decision of the F.S.C. No.(36) for 2013 stipulated that (The contribution of entity in achieving the quota of women must be proportional directly with the right votes). The process of allocating one of the women seats is violating the seats distribution system where one seat was allocated to women from the National masses seats, for two seats of men according to paragraph (2/Beh/4) of the third step of chapter three from the seats distributing system, without completing the quota of women under the mentioned paragraphs on the paragraph (2/Beh/4) of the third step, the required seats for women were supposed to be completed according to the implementation of paragraph (2/Beh/1) of the third step which stipulated that (1. determine the quota of each list by dividing the number of seats assigned to the list by three, but to ignore the decimals), according to the paragraph two seats was allocated for the Coalition of victory list which won seven seats ( $7 \div 3 = 2.333$ ) and after ignoring the decimals =2 seats for women, the same equation should have been applied to the list of the Kurdistan Alliance which won six seats ( $6 \div 3 = 2$ ) two seats for women, by that the quota of women is completed without the need to go to paragraph (2/Beh/4) of the third step. The subject of the case related to the request of

repealing the I.C.R. decision No.(154) on 7/11/2018 paragraph (5) of it which concern the plaintiff (Khalida Khalil Rashou), and the decision No.(25)on 24/1/2019 paragraph (3) of it which concern the plaintiff (Mohammed Farman Shaher), and revocation the membership of the MPs whom their membership validity are under challenge (Safwan Bashir Younis and Siham Abbas Ali). The court convened on 14/5/2019, the attorneys Amer Shaker Al Ali and Hazem Al-Saffar has attended as agents of the plaintiffs in the unified cases. The court found that the contents of the explanatory draft dated 12/5/2019 submitted by attorney Amer al-Ali are sufficient to clarify the cases, the attorney Hazem al-Saffar also add the draft he submitted at this session. The court scrutinize the case proceedings and found in its aspects a technical mater require the use of one or more experts to clear it, and asked the parties of the case to nominate them, and they left that to the court because of the difference between them and for the purpose of confidence. The court responded to the MP (who his membership is under challenge) request objecting on the two experts nominated by the court, therefore decided to elect the experts (Dr. Ali Issa al-Yacoubi, Gatia Al-Zobaie, Mohsen al-Moussawi) and none of them were objected on, and they were sworn in according to due process on 16/5/2019, they submit their report dated 19/5/2019 which summary that (the board of Commissioners decision No.(69) in the regular minutes No.(41) on 9/8/2018 that include re-distribution the women's quota seats for the winners of Nineveh governorate, in which the winning candidate the plaintiff Khalida Khalil Rashou was replaced by the candidate Safwan Bashir Younis who his membership is under challenge within the same list the Kurdistan Democratic Party, and also replacing the winning candidate the plaintiff Mohammed Farman Shaher from the national masses list with the candidate

Siham Abbas Ali whom her membership is under challenge from the same list, did not take into account the order that was stated in the seats distributing system No(12) for 2018, according to that the plaintiff Khalida Khalil Rashou consider as a winner of the seat of the women quota within the list of Kurdistan Democratic Party instead of the MP Safwan Bashir Younis in the same list, also the plaintiff Mohammed Farman Shaher consider as a winner for the national masses list instead of Siham Abbas Ali within the same list. The ratio 25% that is stipulated in the modified I.C.R. election law No.(45) for 2013 was achieved according to the aforementioned detail, and there is no need to go to next steps in calculating the quota of women. This distribution was based on the texts of the Constitution, the I.C.R. elections law, and the seats distributing system in proper and productive way). On 20/5/2019 the court convened, the agents of the plaintiffs in the original and the unified cases has attended, the agent of the defendant the speaker of the I.C.R./ being in this post the legal advisor Haytham Majid has attend also, the third party the independent high electoral commission attended represented by its agent Ahmed Hassan Abd, also attend for the MP who's under challenge Siham Abbas Ali, her agent the attorney Jawad Kazem, and the MP who's under challenge Safwan Bashir Younis has attend also. And proceed with the case in presence and publicly, the court note that the three experts who were assigned to present the expertise report in the origin and the unified case, has submitted their report dated 19/5/2019. The agents of the plaintiffs replied that they have no objection on what listed in that report. The agent of the defendant the speaker of the I.C.R. conservative on the report. The agent of the independent high electoral commission commented that he has a draft about what is listed in the report and conservative on it also. the agent of the MP

who is under challenge commented that he conservative on the report and requested to elect five expert. The court scrutinize the case with all its content, also reviewed the report of the three experts, and found that the judgment reasons in the case is completed, and no need to assigned it to the expertise of five expert, as the report of the three expert is considerable, the argument is closed and the decision is issued publicly.

### The Decision:

During scrutiny and deliberation by the F.S.C. the court found that the plaintiffs in the aforementioned original and the unified cases has been challenging the decisions of the I.C.R. the first: (154) on 7/11/2018, that was issued in the session No(10) held on 6/11/2018 which include in paragraph (5) of it the stated that (after the voting the approve was not obtained on the invalidity of the membership of the MP (Safwan Bashir Younis), and the injured the appellant (Khalida Khalil Rashou) shall resort to the F.S.C. to appeal the decision of the I.C.R.), the second: (25) on 24/1/2019 issued in the session (28) held on 23/1/2019 which include in paragraph (3) of it the state that (the approve was not obtained after the voting on the appeal submitted by (Mohammed Farman) on the invalidity of the membership of the MP (Siham Abbas Ali Hamada), and the injured may resort to the F.S.C.). Each of the plaintiffs has been appealing before this court for the claim that the aforementioned decisions of the I.C.R. which included rejecting their appeals, are violating the provision of the constitution, the law, and the I.C.R. seats distributing system No(12) for 2018. The F.S.C. investigate in the submitted appeals, and assigned respectively an expert then three experts to clarify the technical aspects in the process of distribution

the seats in the electoral lists of the governorate of Nineveh, in order to establish the full conviction of what is necessary to issue the judgment in accordance with the authority stipulated in the paragraph (2<sup>nd</sup>) of the article (52) of the Constitution, and to determine the correct implementation for the I.C.R. election code No(45) for 2013, and the I.C.R. seats distributing system No(12) for 2018, and in the assignment of the experts it was based on to the provisions of article (133) of the law of evidence No.(107) for 1979. After examining the defenses submitted by the defendant and the third parties, which is the claim that the F.S.C. is not competent to consider the case, and found that this claim is rejected according to the constitution as paragraph (1<sup>st</sup>) of article (52) of it has authorize the I.C.R. to consider the appealing submitted to it by the party of interest against the validity of the membership of one of the MPs, either for the failure of one or more of the required conditions in him, or for the existence of a fault or defect in the implementation of the relevant laws and regulations in the process of his election or in the procedures for the distribution of seats according to the system, and the approved rules, and the ratios contained in the Constitution and the law and the system. Then the I.C.R. shall issue its decision to accept the objection or to reject it in the light of its investigations, the purpose of the Constitution in granting this authority to the I.C.R. is to ensure the safety of the MP position who is under challenge, and thus the integrity of the legislative institution, and to establish the confidence in the validity and safety of the election of its members, this authority of the I.C.R. is stipulated as mentioned in the article (52/1<sup>st</sup>), and paragraphs (1<sup>st</sup>) and (2<sup>nd</sup>) of article (13) of the constitution, this authority is exercise by the majority of the councils of Representatives in the world, including but not limited to, Egypt, Kuwait, Jordan, United Arab

Emirates, Italy and Japan. The issued decision of the I.C.R. withier to accept or to reject the appeal, the constitution in paragraph (2<sup>nd</sup>) of article (52) of it granted the F.S.C. the authority to consider the appeal against that decision within thirty days from the date of its issuance. The F.S.C. when consider the appeal against the issued decision of the I.C.R., practice the same authority that the I.C.R. practiced when conduct the investigations in the all the aspect in the plaintiff's appeal, even if other party has previously made a decision in it, dependent on its constitutional authorization stipulated in the article (52/2<sup>nd</sup>) of the constitution, because the implementation of its texts has the superiority on the texts contained in the laws and regulations. If the court found in the outcome of implementation those provisions what is contrary to the Constitution, and the laws, and regulations that related to all the processes of electing the members of the I.C.R., and to the seats distributing. This superiority based on article (13) of the constitution which stipulated the following (first- this Constitution is the preeminent and supreme law in Iraq and shall be binding in all parts of Iraq without exception. Second: no law that contradicts this Constitution shall be enacted. any text in any regional constitutions or any other legal text that contradicts this Constitution shall be considered void.). the F.S.C. has practiced this authority and issued many provisions according to it, it has been listed the numbers and the details of this provisions in its decision issued on 17/4/2019 in the case No.(214/federal/2018). As for the rest of the raised arguments, the court found that the response to it was contained in the report of the three experts dated on 19/5/2019 which was based on the text of the Constitution, and the I.C.R. elections law, and the I.C.R. seats distribution system, correctly and productively, which can be consider as a reason for judgment according to the provisions of the



article (140) of the law of evidence. According to that the court decided to reject the submitted arguments by the defendant /being in this post, and by the third parties, because they are not based on a valid legal reason. And to reject the aforementioned decisions of the I.C.R., and to consider the report of the three experts dated 19/5/2019 as a reason for the judgment, and it shall consider as part of it and attached to it. And that by placing the plaintiff (Khalida Khalil Rashou) with the seat that is allocated for the women quota within the list of Kurdistan Democratic Party instead of Mr.(Safwan Bashir Younis) from the same list, and placing the plaintiff (Mohammed Farman Shaher) with the seat of the list of National masses instead of Mrs.(Siham Abbas Ali) from the same list, and that within the governorate of Nineveh. and to burden the defendant/ being in this post the expenses and advocacy fees for the agents of the plaintiffs amount of one hundred thousand Iraqi dinars distributed among them according to the law, the decision has been issued decisively and unanimously according to article (94) of the Constitution and article (5) of the F.S.C. law No.(30) for 2005 and issued publicly on 20/5/2019.