

Republic of Iraq  
Federal Supreme Court  
Ref. 235 / federal /2022



Kurdish text

The Federal Supreme Court (F S C) has been convened on 7/3/2023 headed by Judge Jassim Mohammed Abood and membership of Judges Sameer Abbas Mohammed, Khalef Ahmed Rajab, Hayder Ali Noori, Hayder Jaber Abid, Ayoob Abbas Salih, Abdul Rahman Sulayman Ali, Dyar Mohammed Ali, and Munthir Ibrahim Hussein who are authorized in the name of the people to judge and they made the following decision:

The Plaintiff: Huda Sajjad Mahmood – her agents the barristers Mohammed Majeed Risan, Ahmed Mazin Makkiya, and Ameen Atif Sulaiba.

The Defendants: 1- The Prime Minister/ being in this capacity – his agent the legal counselor Qassim Suhaib Shakoor.  
2- Minister of Labour and Social Affairs/ being in this capacity – his agent the official jurist Dhafir Raheem Turad.

### **The Claim**

The plaintiff claimed through her attorney that the first defendant issued Diwani Order No. (469) on 18/5/2022 terminating her assignment from the duties of the head of the Social Protection Authority at the Ministry of Labor and Social Affairs as an agency and assigning (Sana Muhammad Hamid) the tasks (management) of the said authority, contrary to what was stipulated in Article (42/2<sup>nd</sup>) of the Internal Regulations of the Council of Ministers, which stipulated (The conduct of daily affairs means: Making decisions and non-postponing measures that would continue the work of state institutions and public utilities

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regularly and steadily, not including, for example, proposing draft laws, holding loans, appointing and exempting senior positions in the state, or restructuring ministries and departments), in addition to the decisions of the Federal Supreme Court numbered (121/Federal/2022) and (50/Federal/2022), they confirmed that the caretaker government does not have that authority and that the executive authority must work within the framework of the principle of legality and the rule of law, and that the aforementioned Diwani order was issued at the stage of (the caretaker government), while the decision to assign or exempt must be issued by a government with full powers, the termination of its assignment came based on the formation of an investigative committee headed by the Deputy Minister (Abeer Chalabi) and Assistant Director General about a television interview with her, the Minister of Labor and Social Affairs/being in this capacity, has previously filed a criminal case regarding what is stated therein, contrary to what is stipulated in Article (8) of the Discipline of State and Public Sector Employees Law No. (14) of 1991, as amended, in which the termination of the assignment does not fall within the penalties included therein, and it is not within the authority of that committee to terminate the assignment of those who are at the rank of deputy minister, and based on the recommendations of the committee formed under Ministerial Order No. (2109) on 14/10/2021, which included terminating its assignment and transferring it to the Ministry of Science. And technology and assigning it to the tasks of (advisor) according to the letter of the Prime Minister's Office No. (21805/15/Dal 7) on 16/12/2021, and with a clear violation according to what was stated in the decision of the Employees Justice Court acquired the degree of bits based on the decision of the Supreme Administrative Court No. (1455 /Mim/ Cassation / 2022), considering the decision of the Employees Justice Court No. (15 /Mim/ 2022), which was preceded

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by a state order to stop the procedures for terminating the assignment under Ministerial Order No. (2976) dated 21/12/2021, and thus there is a violation by achieving two penalties, the first by transferring to the Ministry of Science and Technology and the second by terminating the assignment for the same reason, the plaintiff believes that the basis of the measures taken against her was for retaliatory reasons for submitting (parliamentary question) on 10/10/2020 during the fourth parliamentary session, of which she was a member of the parliament, which resulted in initiating lawsuits as an informant about corruption cases in the ministry, so the plaintiff asked this court to rule on the invalidity and annul Diwani Order No. (469) of 2022. The lawsuit was registered with this court with the number (235/federal/2022) and the legal fee for it was collected in accordance with the provisions of Article (21/1<sup>st</sup>) of the Rules of Procedure of the Federal Supreme Court No. (1) of 2022 and the defendants were informed of its petition and documents following paragraph (2<sup>nd</sup>) of the same article, and the first defendant's deputy, the Prime Minister, replied with the two response lists dated 9/11/2022 and 29/1/2023, concluding that the court had previously decided on the same subject in its decision No. (180/Federal/2022) to dismiss the plaintiff's lawsuit, the consideration of her request is outside the jurisdiction of the court specified in Article (93) of the Constitution of the Republic of Iraq for the year 2005, and this is confirmed by the court in its decision No. (175/federal/2022), in addition to that the termination of the plaintiff's assignment came based on the recommendations of the investigative committee formed in the Ministry of Labor and Social Affairs due to her loss of the necessary competence and inability to manage the position for highlighting official documents in the media related to the work of the ministry, the Diwani order came following the requirements of the public interest and based on the powers granted to the Prime Minister

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under Article (78) of the Constitution in his capacity as the direct executive responsible for the general policy of the State, especially since the body that assigned the plaintiff to act, she has the right to terminate the assignment in line with the management of the public facility, and there is no link between the decisions of the Supreme Administrative Court and the Diwani order subject to the appeal because it came later than those decisions, the termination of the assignment does not fall within the concept of appointment, dismissal or restructuring of ministries stipulated in Article 64 of the Constitution and Article 42 (2<sup>nd</sup>) of the Internal Regulations of the Council of Ministers, but falls within the discretionary power of the Prime Minister. In addition, the challenged Diwani order was issued in accordance with the powers vested in the Cabinet Resolution (235) of 2016, and its signature by the Secretary-General of the Council of Ministers came based on the internal memorandum issued by the Prime Minister's Office No. (3026/2290072) on 27/4/2022, which includes the approval of the recommendations of the investigative committee formed in the Ministry of Labor and Social Affairs, as stipulated in Article (31/2<sup>nd</sup>) of the Rules of Procedure of the Council of Ministers No. (2) of 2019 (The Secretary-General is directly linked to the President and implements his orders). and his directives and exercises the tasks entrusted to him by the President). Therefore, he requested the dismissal of the plaintiff's lawsuit and to burden her with fees, expenses, and advocacy fees, and the second defendant's agent replied in the reply list dated 16/11/2022, concluding that the Ministry of Labor and Social Affairs is obligated to implement the customs orders as they are issued by an executive authority and do not have the right to object to the implementation of these orders based on Cabinet Resolution No. (235) of 2016, also, the appeal against administrative decisions is before the Administrative

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Court, and the Council of Ministers Resolution No. (280) of 2022 was issued, including the cancellation of all customs orders issued after 8/10/2021 related to the assignment and not the termination of the assignment, so he requested the dismissal of the plaintiff's lawsuit and to burden her with fees and expenses. After completing the procedures required by the rules of procedure of the court, a date was set for the pleading in accordance with the provisions of Article (21/3<sup>rd</sup>) thereof, and the parties were informed of it, and on the appointed day, the court was formed, and the plaintiff and her agents attended in particular, and the defendants' agents attended, the plaintiff and her agents repeated what was stated in the lawsuit petition and requested a ruling according to it. The plaintiff added that her transfer as a consultant to the Ministry of Science and Technology does not mean that her competence to occupy the position of head of the Social Protection Authority has not been achieved. The agent of the first defendant replied by repeating what was stated in his response list linked to the lawsuit papers and requested the dismissal of the lawsuit for the reasons stated therein, adding that the facility managed by the plaintiff did not achieve the purpose of its formation and that the Council of Ministers Resolution No. (280) of 2022 with its five paragraphs included the cancellation of decisions, customs orders, approvals, ministerial and administrative orders issued by the previous government, and did not include the cancellation of the customs orders that included the termination of the assignment, according to the letter of the General Secretariat of the Council of Ministers (4668 on 1/12/2022), the agent of the second defendant replied repeating what was stated in the reply list linked to the case papers and requested the dismissal of the lawsuit for the reasons stated therein, and the agent of each party repeated his previous statements and requests, and since there was nothing left to say, I

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understand the conclusion of the pleading, and the court issued the following judgment decision:

**The decision:**

Upon scrutiny and deliberation by the Federal Supreme Court, it was found that the plaintiff (Huda Sajjad Mahmoud) claims in her lawsuit petition that the first defendant (Prime Minister / being in this capacity) issued Diwani Order No. (469 of 2022), which stipulated ((Based on the requirements of the public interest, and based on Cabinet Resolution No. (235) of 2016 and the approval of the Prime Minister, it was decided as follows: 1. Termination of the assignment of Mrs. (Hoda Sajjad Mahmoud) from the duties of the Head of the Social Protection Authority and an agency in the Ministry of Labor and Social Affairs. 2. Assigning Mrs. (Sanaa Mohammed Hamid) to the tasks of managing the Social Protection Authority at the Ministry of Labor and Social Affairs)) for allegedly violating Article (42/2<sup>nd</sup>) of the Internal Regulations of the Council of Ministers No. (2) of 2019, which stipulates (The conduct of daily affairs means: taking decisions and non-postponing procedures that would continue the work of state institutions and public utilities regularly and steadily, it does not include, for example, the proposal of draft laws, the contract of loans, the appointment to senior positions in the state and exemption from them, or the restructuring of ministries and departments) and by reviewing the defenses of the two defendants' agents under the response regulations linked to the case papers and during the pleading, where the first defendant's agent (Prime Minister / being in this capacity) requested the dismissal of the lawsuit, because the Diwani order in question came in accordance with the requirements of the public interest and based on the powers of the Prime Minister

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under Article (78) of the Constitution of the Republic of Iraq of 2005 in his capacity as the direct executive responsible for the implementation of the general policy of the state, and that his signature by the Secretary-General of the Council of Ministers came based on the internal memorandum issued by the Prime Minister's Office No. (3026/2290072) on 27/4/2022, which includes the approval of the recommendations of the investigative committee formed in the Ministry of Labor and Social Affairs, and Article (31/2<sup>nd</sup>) of the Rules of Procedure of the Council of Ministers No. (2) of 2019 stipulate that (the Secretary-General shall be directly linked to the President, shall implement his orders and directives, and exercise the tasks entrusted to him by the President), as for the representative of the second defendant, the Minister of Labor and Social Affairs /being in this capacity), he requested the dismissal of the lawsuit because his client's department is obligated to implement the customs orders and does not have the right to object based on Cabinet Resolution No. (235) of 2016, and after reviewing all the documents of the case, the Federal Supreme Court finds the following:

First: following the provisions of Article (47) of the Constitution of the Republic of Iraq of 2005, the federal authorities consist of the legislative, executive, and judicial authorities, which exercise their powers and functions based on the principle of separation of powers, where the federal executive authority consists of the President of the Republic and the Council of Ministers in accordance with the provisions of Article (66) of the Constitution and exercises its powers in accordance with the Constitution and the law, and the Prime Minister is directly responsible for the general policy of the State and the Commander-in-Chief of the Armed Forces manages the Council of Ministers and chairs its meetings and has the right to dismiss ministers with the approval of the Council of Representatives in accordance with

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the provisions of Article (78) of the Constitution, the Council of Ministers exercises the powers assigned to it under the provisions of Article (80) of the Constitution, which are to plan and implement the general policy of the State and general plans, supervise the work of ministries and entities not associated with the Ministry, propose draft laws, issue regulations, instructions and decisions with the aim of implementing laws, prepare the draft general budget, final account and development plans, and recommend to the Council of Representatives the approval of the appointment of undersecretaries of ministries, ambassadors, holders of special degrees, the Chief of Staff of the Army and his assistants, those in the position of division commander and above, and the head of the intelligence service. The National Party, the heads of security agencies, negotiating and signing international treaties and agreements, or whoever authorizes them. Thus, the Constitution distinguishes between the powers of the Council of Ministers and the task of the Prime Minister as the direct executive responsible for the general policy of the State, and the word "official" is mentioned under the provisions of Article 78 of the Constitution in order to distinguish between what are the duty of the Prime Minister alone and the powers of the Council of Ministers as one of the components of the executive authority. As the authority of the Prime Minister individually derives its provisions from what is stated in Article (78) of the Constitution in his capacity as Commander-in-Chief of the Armed Forces and manages the Council of Ministers and chairs its meetings and has the right to dismiss ministers after the approval of the Council of Representatives, so Article (83) of the Constitution requires that the responsibility of the Prime Minister and ministers before the Council of Representatives be solidarity and personal, as it is solidarity concerning the breach of the Council of Ministers of its constitutional and legal duties, and personal

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for the Prime Minister in accordance with Article (78) of the Constitution. Second: According to the constitutional and legal rules, the competent person exercises his competence himself, as each federal authority must exercise its constitutional and legal competencies by itself, as the rules of jurisdiction between all bodies and authorities within the state are characterized by a peremptory nature related to public order, and therefore cannot be violated or derogated from except by an explicit legislative text, and therefore the origin is not to allow authorization - as it represents a departure from the rules of distribution of the jurisdiction. Thus, the competent person must exercise the competencies granted to him by law under his job according to the form and the specific legal procedures, and only then can he impose his will and decisions on citizens - but sometimes, as a result of practical necessities and the complexity of state functions, there is an urgent need to exercise jurisdiction other than its original owner to achieve the principle of the functioning of public utilities, so the authorization of some competencies is resorted to. Authorization is defined as entrusting an administrative person under a decision with some of his powers derived from the law to another administrative person to exercise them without reference to him, while his authority remains from those delegated competencies, and it follows that the holder of the original competence always has the right to cancel the authorization, and he can also amend that authorization by increase or decrease, as required by the requirements of the work and its good performance, and following what is authorized by the Constitution, the law or the regulations and within the limits specified in the text, but Revocation or amendment shall not take effect unless the delegated person becomes aware of it and the decisions issued by him before he became aware of the cancellation or amendment of the authorization shall be valid. The aim of authorization

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is to achieve several purposes, including reducing the burden on the administrative head by distributing his many powers and responsibilities to a number of his assistants, getting rid of the idea of concentrating power, and forming a second generation of leaders trained in the competencies of the higher authority. Third: The rule of authorization in the administrative decision is characterized by being a legal authority based mainly on the legal text authorized. This text is numerous and determined based on the rule of gradation in the laws whose pyramid is occupied by the constitution of the state because it is the main source of all laws, it arises and determines the competencies of the federal authorities and the authorities of the regions and governorates that are not organized in a region and therefore it is the one that grants or prevents the possibility of the authorization then come to the laws issued by the legislative authority of the state to set controls and determine the competencies of the various bodies and determine their responsibilities and in the end come the regulations and instructions that the administration sets for itself as a complementary source of the rules of jurisdiction and determining the controls and therefore this requires respect for the principle of legality in this field, and it is not possible to delegate under the regulations and instructions if the law does not allow it in the first place, as the administrative ladder requires the submission of the lower-grade employee to the higher-grade employee to the minister and then to the Prime Minister, and therefore the employee is not subject to the Constitution and the law only, but is subject to the orders issued to him by his superiors, on the other hand, the principle of authorization is to be partial, whereas it is not permissible to delegate full jurisdiction because the legislator is the one who grants competence and determines it within the limits of the constitution, law or regulations, and in general, the authorization is limited to specific issues

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that do not involve making important decisions that the administrative head retains the power to decide on. Fourth: The authorization is generally subject to many legal provisions that must be taken into account for the authorization to be legal and binding, most notably that there is a legal text for authorization because the administrative competencies exercised by the employees of the administrative apparatus do not represent a right for them that they can waive, but rather represent a duty that they must perform under the legal system and if the authorization is correct when there is a legal text that explicitly permits it, it results in the invalidity of the authorization when there is no legal text that allows it, consequently, the invalidity of the authorization and the illegality of decisions made on its basis. The legal text that authorizes the authorization must also have the same legal rank as the text prescribed for the jurisdiction or higher than it in the legal rank. If the competence of the principal has been included in the Constitution, the authorization is not permissible unless permitted by another constitutional text, and if the competence of the principal has been included in ordinary law, the text on the authorization must be included in another law, and this means that the authorization may not be received by a legal text lower than the original text of validity, and the authorization shall be partial, permanent, meaning that it does not include each competence of the person from whom the authorization was issued, and if the authorization includes all the competencies of the delegated president, this shall be a waiver by the president of his powers and not a authorization thereof. It is also not permissible to delegate delegated competencies, that is, it is not permissible for the person to whom the competence has been delegated to delegate to others the task of doing so, because the authorization process is only done once, this is the original, the authorization must also be issued by an authority legally

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competent to conduct it, and if it is issued by an authority that does not legally own it, the authorization decision is tainted by invalidity. Fifth: The authorization decision must be a product of its legal effects and to be so, a set of conditions must be met in terms of formality, personality, and objectivity, as formal rules are of great importance in issuing administrative decisions, as they determine the external appearance of the administrative decision. The administrative authority has the right to issue its decisions in such a way that it can demonstrate its binding will as long as that administration is directed to produce a certain legal effect. Members of the administrative authority have the right to issue the administrative decision in writing or orally, but if a certain formality and procedures are required to issue the administrative decision, the administrative authority must take this into account when issuing the administrative decision, otherwise, this decision is considered defective because it violates the element of formality. Thus, if the authorization law stipulates that certain procedures must be followed for the validity of the authorization decision or requires a certain form, such as requiring the validity of the authorization decision to be issued in writing, the authorization decision is not valid and productive of its legal effects unless it is made following the specified legal forms. Moreover, the authorization decision must be issued exclusively by the employee with the original competence granted by the law the authority of delegation, so for the authorization decision to be valid, it must be issued by the principal specified by the text and given him the authority to delegate, because the delegation is a personal matter whose use is limited to the person or employee to whom the legal text has authorized that power, as well as the case for the persons to whom the delegation must be issued, so the principal is prohibited from delegating others. Objectively, the delegation decision must also take into account the conditions required

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by law, and the parties to the decision, the delegated and the delegate, must take into account these conditions. Sixth: As for the authorization of signature, it must be issued by the authority with the same original competence, and this type of authorization is achieved by giving an employee the right to sign transactions that fall within the competence of another employee higher than him in the administrative ladder on his behalf in his name and on his responsibility, which means, if the administrative head has delegated to others in the exercise of some of his powers, this does not mean that he has abandoned responsibility for those competencies, but remains a partner in responsibility for them with the delegated person. This type of delegation is a personal matter that concerns the person of the delegate and the delegated to him, and therefore it expires with the change of the delegate with the original competence or delegated to him, and this is the opposite of the delegation of authority devoid of personal capacity. Also, this type of delegation does not prevent the delegate with the original competence of his right to sign along with the signature of the delegated to him, as the originally delegated authority retains the role of the real actor of the act, and therefore when the subordinate delegated to him signs, he does so in the name of the delegate and at his full responsibility, unlike the delegation of competence, which makes the delegated to him the real actor of the act, as this delegation leads to a change and modification in the distribution of competencies and thus results in a complete legal transfer of powers (subject delegation) from the delegated superior to the delegated subordinate, where the superior loses these powers completely throughout the effectiveness of the delegation decision and can no longer exercise them if he does so, it is considered to be issued by a non-competent authority and is subject to revocation. The purpose is to avoid two contradictory decisions by the delegate and the delegate

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on the same subject. The decision issued based on the authorization of the signature derives its strength from the original competence holder and therefore is linked to his degree in the administrative hierarchy, where the authorized person acts to sign in the name of the delegate with the original competence, unlike the decision issued based on the delegation of competence, which has the same degree of decisions that can be issued by the delegated to him, and since the Diwani Order (469) issued by the General Secretariat of the Council of Ministers No. S/2/5/42/002155 on 18/5/2022, which includes ((based on the requirements of the public interest, and based on a decision Cabinet No. (235) of 2016 and the approval of the Prime Minister, decide the following: 1. Termination of the assignment of Mrs. (Huda Sajjad Mahmoud) from the duties of the Head of the Social Protection Authority as an agency in the Ministry of Labor and Social Affairs. 2. Assigning Mrs. (Sanaa Mohamed Hamid) to the tasks of managing the Social Protection Authority at the Ministry of Labor and Social Affairs) signed by Dr. Najib Shukr Mahmoud, Head of the Legal Department, which violates its authenticity in terms of formality. Therefore, since the Council of Ministers Resolution No. (280 of 2022) included (canceling the decisions, customs orders, approvals, ministerial and administrative orders issued by the previous government, all regarding the appointment or assignment of heads of entities not related to a ministry, special grades, general directors, and their grade, and those who receive their salaries starting from 8/10/2021 or their letters and the aforementioned orders were officially received to ministries and entities not associated with a ministry after that date until the end of what was stated in the decision), and since the decision did not go to cancel the Diwaniyah orders containing (termination of assignment) and because the Diwani Order (469 on 18/5/2022) came based on Cabinet Resolution No. (235)

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of 2016 and since the last decision did not include any type of delegation, but included (the adoption of the controls in force in Cabinet Resolution No. (371) of 2009 concerning taxpayers based on a proposal from the head of the competent authority and the approval of the Prime Minister), regarding the provisions of the Council of Ministers Resolution No. (371) of 2009, it also did not include any kind of delegation of powers by the Prime Minister to the Secretary-General of the Council of Ministers but dealt with the subject of (the continuation of undersecretaries of ministries and holders of special degrees in all appointed agency on the recommendation of the Council of Ministers to receive the salary and allowances of the principal, and this applies to the directors' general appointed agency and candidates for the appointment before the Council of Ministers), also, the argument of the deputy of the first defendant, the Prime Minister, in addition to his job, that the authorization granted to the Secretary-General of the Council of Ministers came based on the provisions of Cabinet Resolution No. (341) of 2021, the aforementioned plea cannot be taken into account because the last decision included (the Council of Ministers authorizing the Prime Minister to appoint general managers authentically in ministries and entities not related to a ministry and other government institutions). Therefore, it is not possible to rely on the Council of Ministers Resolution No. (341) of 2021 issuing Diwani Order No. (469) on 18/5/2022, since the aforementioned decision included authorizing the Council of Ministers to the Prime Minister and not authorizing the Prime Minister to the Secretary-General of the Council of Ministers, and the subject of the decision is (the authority to appoint director-generals), on the other hand, Article (22) of the Council of Ministers Law No. (20) of 1991 stipulates that (the Secretariat of the Council of Ministers shall be established under this Law to prepare and organize what is required

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for the exercise of the Council of Ministers, the Prime Minister and his deputies their constitutional and legal powers and to prepare the requirements for carrying them out) and Article (23) of the same law stipulates that (the Secretariat of the Council of Ministers shall have a legal personality represented by the Chairman of the Secretariat of the Council of Ministers or his authorized representative) and Article (24) of the same law stipulates (the head of the Secretariat of the Council of Ministers shall be at the rank of In particular, he is linked to the Prime Minister, assisted by several employees, and he is the supreme president of them, and his competencies and tasks are specified in the rules of procedure). Regarding the provisions of the aforementioned articles, they did not include the permissibility of the General Secretariat to exercise the competencies of the Council of Ministers or the Prime Minister through delegation and concerning the Internal Regulations of the Council of Ministers No. (2) of 2019, Article (14) of it stipulated (the President shall exercise his responsibilities and tasks vested in him under the Constitution and the legislation in force thereunder in his capacity as the direct executive responsible for the general policy of the State and the Commander-in-Chief of the Armed Forces) and Article (31/2<sup>nd</sup>) of the same system stipulates (the Secretary-General is directly linked to the President). He shall carry out his orders and directives and exercise the tasks entrusted to him by the President) and the functions of the General Secretariat of the Council of Ministers have been determined following the provisions of Article (33) of the Rules of Procedure. Accordingly, and for all of the above, and since the Diwani Order No. (469 on 18/5/2022) was issued with the signature of the head of the Legal Department by the Secretary-General of the Council of Ministers, without a legal text that includes the permissibility of

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delegating authority or signing to the head of the Legal Department, so the aforementioned Diwani Order is formally defective.

From all of the above, the Federal Supreme Court decided the following:

1. Ruling that Diwani Order No. (469) of 2022 is formally invalid, which stipulated ((Based on the requirements of the public interest, and based on Cabinet Resolution No. (235) of 2016 and the approval of the Prime Minister, it was decided as follows:

1. Termination of the assignment of Mrs. (Hoda Sajjad Mahmoud) from the duties of the Head of the Social Protection Authority and an agency in the Ministry of Labor and Social Affairs.
2. Assigning Mrs. Sanaa Mohamed Hamid to manage the Social Protection Authority at the Ministry of Labor and Social Affairs.
2. Dismissal of the lawsuit against the second defendant (Minister of Labor and Social Affairs /being in this capacity) for lack of litigation.
3. The defendant/ being in this capacity shall burden with the expenses, fees, and advocacy fees of the plaintiff's attorneys an amount of fifty thousand dinars, and the plaintiff charged the attorney's fees of the second defendant's agent / being in this capacity an amount of fifty thousand dinars.

The decision has been issued unanimously, final, and binding according to the provisions of articles (93/3<sup>rd</sup> and 94) of the Constitution of the Republic of Iraq for 2005 and articles (4/3<sup>rd</sup> and 5/2<sup>nd</sup>) of the FSC's law No. (30) for 2005 which was amended by law No. (25) for 2021. It has been made clear on 14/Shaabab/1444 Hijri coinciding with 7/March/2023 AD.

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**Judge**  
**Jassim Mohammed Abbood**  
**President of the Federal Supreme Court**