

# IN THE NAME OF GOD, MOST GRACIOUS, MOST MERCIFUL

Republic of Iraq  
Federal Supreme Court  
Ref. 29/federal/ 2016



Kurdish text

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The Federal Supreme Court (F.S.C.) has been convened on 17/4/2016 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 request:

The Prime Minister office submitted a request to the F.S.C. by the letter No.(mim.ra.waw./sin/907) on (16/4/2016) which state the following: ((Peace, mercy and blessings of God upon you, we wish to work with the Council of Representatives in accordance with constitutional frameworks, please inform us of the opinion of your esteemed court on the validity of the response of the Presidency of the Council of Ministers to provide important requirements at the request of the Presidency of the Council of Representatives elected in July 2014, which we deal with as the legitimate presidency of the Council, or the Court have another opinion. with appreciation)).

The request has been set under scrutiny and deliberation by the F.S.C., and issued the following:

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*Atchraa*

### The Decision:

During scrutiny and deliberation by the F.S.C., the court found that the request the subject of the aforementioned letter included two parts, first informing part about the tasks of the council of ministers presidency to provide important requirements at the request of the Presidency of the Council of Representatives elected in July 2014, which the council of ministers deal with as the legitimate presidency of the Council, and the authenticity of that, the second part of the request (or the Court have another opinion) interfere with first part. The F.S.C. found that the request included conflict about the constitutional legitimacy of it subject, and can only take decision through a trial conducted by the F.S.C. in accordance with its jurisdictions stipulated in article (93) of the republic of Iraq for 2005, and article (4) of the F.S.C. law No.(30) for 2005, and that by a case issued according to the provisions of paragraph (1) of the F.S.C. Bylaw No.(1) for 2005, and in light of what the litigants submitted to the court of claims, defenses and documents, the court shall issue the decision according to the provisions of the constitution. The decision has been issued unanimously on 17/4/2016.