The Federal Supreme Court had been convened on 2014, headed by the judge Madhat Al-Mahmood and membership of judges Farouk Mohammed Al-Sami, Jaafar Nasir Hussein, Akram Taha Mohammed, Akram Ahmed Baban, Mohammed Saib Al-Nagshabndi, Abood Salih AL-Tememi, Michael Shamshon Qas Georges, and Hussein Abbas Abu Al-Temman, who authorized in the name of the people to judge and they made the following decision :

**The Request:**

Dr.(Ghain.Sin.Ain.) requested, who is a candidate in the public election of ICR's membership for the electoral list (Diyala Haweyatuna), from the Federal Supreme Court according to her request presented to it on (25/6/2014) considering it the first winner:

Greeting

Further to what included by the court's letter No.(31/Teh.Qaf./2014) dated on (16/6/2014) also the matter of delaying the deciding for the accused winners' cases that the court decided to nor ratify on their names until decision issues from the competent courts- they are candidates who won in Diyala governorate from the electoral list (Diyala Haweyatuna)- for the reasons listed by the above decision. moreover, this matter needs a lot of time to settle their cases knowing that the aforementioned accused were referred to the competent criminal courts which affected the interests of Diyala governorate's people who voted. also, it violates the provisions of the Constitution and the law for depriving the governorate of having someone representing them in the ICR and it contrary with the specialized seats for each governorate where the seats o Diyala is decreased because three winner candidates were excluded from taking the legal oath as members in ICR for (Diyala Haweyatuna). This matter leads to marginalisation and isolating Diyala people votes and who got the highest votes. This case included by the competence of the court according to its law No.(30) for 005 and the bylaw No.(1) for 2005 and there are many cases for the same aim which the court decided to replace the candidates who accused by criminal cases such as the previous two winner candidates (Ain.Kaf.) and (Nun.Ha.). with all respect and appreciation.

The request put under scrutiny and deliberation by the FSC and it reached the following decision.

**The Decision:**

During scrutiny and deliberation by the FSC, it found that the FSC competence determined by the article (4) from the law of FSC No.(30) for 2005. Also in the article (93) from the Constitution and none of them included what listed by the request which required to reject it. So, the FSC decided to reject the request from the competence point and the decision issued unanimously on 2/7/2014.