

In the name of God most Gracious most Merciful

Republic of Iraq
Federal supreme court
Ref. 41/federal/media /2014



Kurdish text

The Federal Supreme Court (F S C) has been convened on 1.4.2014 headed by Judge Madhat Al-Mahmood and membership of Judges Farouk Mohammed Al-Sami, Jaafar Nasir Hussein, Akram Taha Mohammed, Akram Ahmed Baban, Mohammed Saib Al-nagshabandi, Aboud Salih Al-temimi, 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:

Appellate body:

The appellant claimed by his agent in FSC in the case No. (41/federal/2014) that the Cassation body Accountability and Justice has made its decision (55/Committee Cassation/2014) on 10/3/2014 the judge to exclude him from running for the next House of Representatives. Since the decision was unfair to the law, he appealed to the FSC because he did not belong to the dissolved Baath Party and worked in the repressive security services and did not work in any state department before and after 2003. He was not sentenced to a misdemeanour against honor and his family was harassed because of his father's participation in the popular uprising, which is a well-known tribal and social figure, he was subjected to psychological and physical torture. As a result he submitted the reasons for the request to cancel the decision of the Federal Court of Cassation (Committee Cassation competent to hear appeals against accountability and justice

decisions) and let him participate in the next House of Representatives.

The Decision:

After scrutiny and deliberation by the FSC found that the appellant requests for his claim annulment of the decision of the Cassation Committee competent to hear appeals against accountability and justice decisions in the Federal Court of Cassation No. (55/Cassation Committee /2014) issued on (10/3/2014) ruling on his exclusion from the next House of Representatives, as a result the FSC finds that the decisions of the Cassation Committee competent to hear appeals against accountability and justice decisions in the Federal Court of Cassation are final and decisively decisions based on the provisions of Article (17) of the Supreme National Accountability and Justice Authority Law No. (10) of 2008 issued in accordance with its legally prescribed powers. Whereas, the powers and jurisdictions of the FSC are limited to Article (93) of the Constitution of the Republic of Iraq for 2005 and article (4) of FSC's Law No. (30) of 2005 none of these jurisdictions was to overturn judicial decisions issued by a judicial body formed under the provisions of the law and its decisions are final and not subject to appeal in any way. Therefore, the request of the appellant to annul these decisions from the court is unsubstantiated by the law. As a result, the decision was decided to reject the appellant and the decision was issued decisively and without appeal on the basis of article (94) of the Constitution and with unanimously on 1/4/2014