

Republic of Iraq
Federal Supreme Court
Ref. 71 / federal /2022



Kurdish text

The Federal Supreme Court (F S C) has been convened on 24/3/2022 headed by Judge Jassim Mohammed Abood and membership of Judges Sameer Abbas Mohammed, Ghaleb Amir Shunain, Hayder Ali Noori, Hayder Jaber Abid, Khalef Ahmed Rajab, Ayoob Abbas Salih, Abdul-Rahman Suleiman Ali, and Dyar Mohammed Ali who are authorized in the name of the people to judge and they made the following decision:

The Objector: Mezher Hammadi Atiya Talal/ the candidate for the Republic of Iraq President.

The Objection Subject

The objector Mezher Hammadi Atiya Talal submitted his objection to this court on 22 March 2022, claiming that he is a candidate for the presidency of the Republic of Iraq, and applied for nomination via e-mail to the Legal Department of the Iraqi Parliament, which was announced, and after the announcement of the results of the names of those who meet the conditions of nomination by the Media Department of the Council of Representatives, it appeared that he is excluded and not included in the nomination, despite having a Ph.D. certificate in Political Science and has more than thirty years of experience in political and media work within and Outside Iraq, a well-known media professional works in the Al-Forat and Al-Janoobiya satellite channels, worthy to mention that the date of the announcement of the results was on 15 March 2022, while the days from 18-21/3/2022 were an official holiday, therefore, he applied the challenge on 22/3/2022). Accordingly, the court was asked to get his right back after fact-finding and obliges the Council

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of Representatives to accept his candidacy for the post of President of the Republic of Iraq for the reasons detailed in the appeal.

The decision:

Upon scrutiny and deliberation by the Federal Supreme Court, it was found that the objector Mezher Hammadi Atiya Talal asked this court for justice because he is excluded and not included in the list of names of those accepted to run for the post of President of the Republic announced by the Council of Representatives on 15 March 2022, the Federal Supreme Court finds, referring to the letter of the Legal Department of the Council of Representatives in the number (1/13/4167 on 17 March 2022) that it contains the names of those excluded from running for president of the Republic, and the name of the objector is not mentioned among those names, and since article (5) of the Provisions for nomination for the office of President No. (8) of 2012 stipulated on (first- For those whose name is not revealed in the declaration provided for in article (4) of this Law, the right to object to the Federal Supreme Court with a written request exempted from the legal fee within no more than (3) three days of the date of the declaration. Second- The court decides on the objection submitted to it in accordance with the provisions of item (1st) of this article within (3) three days of the date of registration of the objection with which its decision is decisive and binding). Therefore, this article had determined the jurisdictions of this Court of trying the objections presented by those whose names were not revealed in the announcement issued by the Council of Representatives which includes the names of the candidates for the post of the President of the Republic according to the duration and conditions listed in it,

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which means that the objection shall be rejected formally. The decision has been issued unanimously, decisive and binding for all powers according to the provisions of article (94) of the Constitution of the Republic of Iraq for 2005 and articles (4 and 5) of candidacy provisions for the post of the President of the Republic from the Law No. (8) of. The decision has been edited in the session dated 20/Shab'aban/1443 Hijri coinciding 24/March/2022 AD.

**Signature of
The president
Jasem Mohammad
Abbood**

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