

Republic of Iraq  
Federal Supreme Court  
Ref 181/ federal/2024



Kurdish text

The Federal Supreme Court (F S C) has been convened on 26/8/2024 headed by Judge Jassim Mohammed Abood and membership of Judges Sameer Abbas Mohammed ,Ghaleb Amir Shunain, Hayder Jaber Abid, Hayder Ali Noori, Khalaf Ahmed Rajab, Ayoob Abbas Salih, Dyar Mohammed Ali, Khaled Taha Ahmed, and Munther Ibrahim Husain who are authorized in the name of the people to judge and they made the following decision:

The Plaintiff: The International Assistance Mission accredited in Iraq and its diagnostic medical center / its Executive Director Sadiq Ali Asghar Nur al-Din / being in this capacity.

The Defendant: Prime Minister of the Kurdistan Regional Government / being in this capacity.

### **The Decision:**

Upon scrutiny and deliberation by the Federal Supreme Court, it was found that the plaintiff (the International Assistance Mission accredited in Iraq and its diagnostic medical center / its Executive Director Sadiq Ali Asghar Nur al-Din / being in this capacity) filed the lawsuit before this court requesting a ruling of nullity The Kurdistan Regional Government's decision to suspend the application of the Customs Law No. (23) of 1984 in force, and to amend the application of the customs rules in force for transit transport stipulated in Article (85) thereof, and to prevent the passage of donations and donations received to state departments and the government sector pursuant to Article (155/1<sup>st</sup>/Beh), thereof, and to prevent and restrict goods passing in accordance with the transit status in application of the provisions of Article (87) thereof, and to cancel and nullify all its effects, and to invalidate the Kurdistan Regional Government's decision to suspend the

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application of the law of accession of the Republic of Iraq to the Convention TIR 1975 No. 6 of 2020 in force, and the invalidity of the Kurdistan Regional Government's decision to suspend the application of the law ratifying the TIR agreement between the Government of the Republic of Iraq and the Government of the Republic of Turkey No. (193) of 1980 in force for the reasons stated in his petition, and after registering the case with this court No. (181/Federal/2024), and informing the defendant of its petition and documents in accordance with Article (21/1<sup>st</sup> and 2<sup>nd</sup>) of the court's rules of procedure No. (1) of 2022, and for the absence of an answer, a date was set for the pleading in accordance with article (21/3<sup>rd</sup>) thereof, and the parties are informed of it and by coincidence today the aforementioned is an official holiday and in accordance with Article (24) of the Civil Procedure Law No. (83) of 1996, as amended, the court decided to hear the case the following day, in which the court was formed, the plaintiff, nor the defendant or his agent appeared, despite the notification in accordance with the law, and began to conduct the public presence pleading, the court reviewed the plaintiff's requests and supports, and reviewed the request dated 11/8/2024 submitted by the plaintiff requesting the annulment of the lawsuit petition, and the approval of the request to the law and based on Article (88/1) from the Civil Procedure Law No. (83) of 1969, as amended, the court decided to annul the lawsuit petition and charge the plaintiff fees and expenses, and the decision has been issued unanimously and final according to the Article (94) of the Constitution of the Republic of Iraq for the year 2005, and Article (5/2<sup>nd</sup>) of the Federal Supreme Court Law No. (30) of 2005, as amended by Law No. (25) of 2021 and it has been made clear in the session dated 21/Safar/1446 Hijri corresponding to 26/8/2024 AD.

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

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