

Republic of Iraq  
Federal Supreme Court  
Ref 297/ federal/2023



Kurdish text

The Federal Supreme Court (F S C) has been convened on 25/2/2024 headed by Judge Jassim Mohammed Abood and membership of Judges Sameer Abbas Mohammed, Ghaleb Amir Shunain, Hayder Jaber Abid Hayder Ali Noori, 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:

Applicant of the Enquiry: Adnan Abed Khudair Al-Zurfi / Member of the Iraqi Council of Representatives.

Subject of the request: Interpretation of Law No. (48) of 2017 issued by the Iraqi Council of Representatives on 2/2/2017, and a statement of legal opinion on this.

**The Abstract of the Request:**

The representative Adnan Abd Khudair Al-Zurfi requested from this court, according to his office letter No. (319) dated 15/11/2023, the following text: ((We received requests from a number of unions, federations and associations regarding the interpretation of law No. (48) of 2017 issued by the Iraqi Council of Representatives regarding the assumption of the heads and members of the administrative authorities of unions, federations and associations, and the permissible number of times to assume that responsibility in order to allow the rotation of responsibility...Please state your legal opinion to be circulated to all unions, federations and associations)), after reviewing the request and conducting the scrutinies, the court issued the following decision:

**The Decision:**

Upon scrutiny and deliberation by the Federal Supreme Court, it was found that the application was submitted for the purpose of inquiring about law No. (48) of 2017 issued by the Council of Representatives on

*Zainab*

Republic of Iraq  
Federal Supreme Court  
Ref 297/ federal/2023



Kurdish text

2/2/2017 - the law of canceling the decision of the dissolved Revolutionary Command Council No. (180 of 1977 - which allowed the re-election of the president or president in professional unions and federations more than once in a row), and a statement of legal opinion in this regard, for the reasons referred to in the request, this court and its jurisdiction are exclusively stipulated in articles (52 and 93) of the Constitution of the Republic of Iraq of 2005, article (4) of the Federal Supreme Court law No. (30) of 2005, as amended by law No. (25) of 2021, and some other special laws, none of these powers and powers gives the court jurisdiction to interpret the texts of laws, except on the occasion of challenging their unconstitutionality, nor does it have jurisdiction or authority to answer an inquiry received from an official authority, an authority in the state or a member of the Council of Representatives; rejection in view of the above, the Federal Supreme Court decided to reject the request for interpretation submitted by (Adnan Abdul Khudair Al-Zurfi / member of the Iraqi Council of Representatives), for lack of jurisdiction. The decision has been issued unanimously, final and binding according to the provisions of articles (93 and 94) of the Constitution of the Republic of Iraq for the year 2005, and Articles (4 and 5/2<sup>nd</sup>) of the Federal Supreme Court law No. (30) of 2005 as amended by law No. (25) of 2021, and the decision has been edited in the session dated 14/Shaaban/1445 A.H. corresponding to 25/2/2024 AD.

**Judge**  
**Jasem Mohammad Abbood**  
**President of the Federal Supreme Court**

**Zainab**