

Republic of Iraq
Federal Supreme Court
Ref. 93 / Federal / 2022



The Federal Supreme Court (F.S.C.) convened on 10.4.2022 headed by Judge Jasem Mohammad Abbood and the membership of the judges Sameer Abbas Mohammed, Ghaleb Amer Shnain, Haider Jaber Abed, Haider Ali Noory, Khalaf Ahmed Rajab, Ayoub Abbas Salih, Abdul Rahman Suleiman Ali, and Diyar Muhammad Ali who are authorized to judge in the name of the people, they made the following decision:

The objector:

Nabil Suleiman Abdul Majeed.

The Subject of the objection:

Candidacy for the position of President of the Republic.

The objection summary:

The objector, in his draft submitted to this court dated 6.4.2022, claimed that after opening the door for constitutional candidacy for the position of President of the Republic by the Council of Representatives, he submitted a request, via the e-mail announced by the Media Department of the Council of Representatives, and attached his documents with his curriculum vitae and academic achievement. He is of Iraqi parents and holds a Bachelor's degree in Law and Media and has political experience as the head of the Democratic Action Party. After that, the legal department informed him of receiving his request within the legal period limited to three days, but he was not summoned for a personal interview and considered that the nomination conditions stipulated in Article (68) of the constitution applies to him, so he asked this court to

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investigate and disregard him and deprive him of his constitutional right and oblige the Council of Representatives to accept the inclusion of his name for the subject of candidacy for the post of President of the Republic according to the detail referred to in the request).

The decision:

Upon scrutiny and deliberation by the Federal Supreme Court, it became clear that the objector requested this court to accept his candidacy for the position of the Presidency of the Republic and to obligate the Council of Representatives to accept the inclusion of his name among the candidates for that position for the reasons indicated in detail in the objection request. The federal supreme court finds that the objection is binding to be dismissed in form, as the audit of the application submitted to this court proved that it did not include an objection to the decision issued by the Council of Representatives that included announcing the names of the candidates for the post of President of the Republic for not mentioning any number and date for any decision issued by the Council of Representatives to announce the names of candidates for the position of President of the Republic from which his name was excluded. In addition, the letter issued by the General Secretariat of the Council of Representatives / Legal Department No. (1/13/4167) on 17/3/2022 included the names of those excluded from the candidacy for the post of President of the Republic, and this court finds that the applicant was not mentioned among the names excluded from the list. As the candidacy procedures weren't complete for the post of President of the Republic due to the lack of completion of the application procedures for

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candidacy for the said post, in accordance with what was stated in Article (3) of the Law on the Provisions of Candidacy for the Post of President of the Republic No. (8) of 2012 for the reasons mentioned in his request, and that this court is not within its jurisdiction to delve into those reasons because its jurisdiction is held in accordance with what was stated in Article (5) of the aforementioned law, which stipulated (for those whose name did not appear in the stipulated announcement in Article (4) of this law, he has the right to object before the Federal Supreme Court with a written request exempted from legal fees within a period not exceeding (3) three days from the date of the announcement). The court shall decide on the submitted objection within three days from the date of submitting the request, its decision is final and binding, since the jurisdiction of the Federal Supreme Court according to what was stated in the Law of candidacy for the position of President of the Republic No. (8) of 2012, based on the provisions of Articles (3, 4 and 5) of the aforementioned law, so what is stated in the request falls outside the jurisdiction of this Court and for all of the foregoing, the Federal Supreme Court decided to reject the request submitted by Nabil Suleiman Abdul Majeed for lack of jurisdiction. The decision was issued final and binding in agreement based on the provisions of Articles (3, 4, and 5) of the Law of candidacy for the position of President of the Republic No. (8) for the year 2012, issued in the session dated 8 Ramadan 1443 AH corresponding to 10/4/2022 AD.

Signature of
The president

Jasem Mohammad Abbood

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