

In the name of God most Gracious most Merciful

Republic of Iraq
Federal supreme court
Ref. 11/federal/2013



Kurdish text

The Federal Supreme Court (F S C) has been convened on 24. 2. 2013 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:

The Presidency of the Nineveh Provincial Council / Legal Section / with its letter No. (8834) on 19/12/2012 from the Federal Court requested what comes:

Sbj. / Inquiry

Based on what was presented and discussed at our one hundred and sixty-two plenary session held on 4/12/2012 in connection with the approval of the Parliamentary Legal Committee, the law redrawing the boundaries of the provinces covered by Article /140/ asks our Council whether there is any legal indication of the inclusion of areas within Nineveh province under the title (disputed) under the Constitution of 2005 and informed with appreciation.

The application was put under scrutiny and debated by the FSC and reached the following decision:

The Decision:

After scrutiny and deliberation by the FSC found that the article (93) of the Constitution of the Republic of Iraq of 2005 and article (4) FSC's Law they have specified the terms of reference of the FSC and none of these jurisdictions should give an opinion on the matter at hand, and therefore, the request for the presidency of the Nineveh Provincial Council is outside the jurisdiction of the FSC for not including its specific specialties in the above articles and the decision was unanimously issued on 24/2/2013.