Theme: The Federal Supreme Court and the Higher Juridical Council in the Iraqi Judicial System
Number of Pages: 40

1 **Introduction: 3 pages**
   1.1 Topic importance
   1.2 Reasons behind choosing this topic
   1.3 How can a judiciary system based on international standards help to establish a modern, federal Iraqi State
   1.4 Adopted research plan

2 **The Iraqi Judicial System (6 pages)**
   2.1 **Stature of the judiciary as mentioned in the constitution**
   2.2 The network of Judicial Institutions: focus on Establishing the Authority of the Federal Justice System
      o The Federal Supreme Court
      o The Higher Judicial Council
      o Iraqi Special Tribunal
      o Other Federal Courts
      o The Federal Court of Cassation
      o Public Prosecution Department
      o Judiciary Oversight Commission
      o Quasi Judicial Bodies: Commission on Public Integrity, Independent Electoral High Commission, High Commission for Human Rights
   2.3 Their role in stabilizing and strengthening the Federal Judicial System
3 The Federal Supreme Court (10 pages)

3.1 What is the composition of the Federal Supreme Court and how is the composition determined?
- Number of Judges
- Appointment procedure for Judges
- Qualification of Judges
- Tenure of Judges
- Removal procedures for Judges
- Hierarchy of Judges within the Court

3.2 What is the source of the Federal Supreme Court’s jurisdiction?
- Constitution and Enabling Legislation
- Subsequent Legislation
- Decisions of the Court

3.3 General Procedures:
- What are the general procedures of the Court?
  - Quorum requirements
  - Public or Private Sessions
  - Timeframe for a ruling to become effective

- What are the general procedures of the Court?
  - Standing requirements
  - Initiation of proceedings
  - Possible rationale for rejecting a complaint

- What are the procedures for adjudicating a constitutional complaint?
- What are the procedures for adjudicating the constitutionality of a Government Act or Law?
  o Standing requirements
  o Effect of a ruling of unconstitutionality on the government act or law
  o Type of legislative review
  o Repressive or “a posteriori” review
  o Abstract Review
  o Concrete Review
  o Preventative or “a priori” review

3.4 How are disputes between national, regional, governorate, and local authorities adjudicated?
- Standing requirements
- Timeframe for bringing a dispute before the Court
- Effect of a ruling

4 The Higher Juridical Council (10 pages)
4.1 What is the composition of a juridical council? And how are the members of a juridical council selected and/or dismissed?

4.2 What are the functions of a juridical council?
  o Supervise the federal judiciary
  o Manage the affairs of the judiciary
  o Nominate justices and prosecutors to fill vacancies
  o Recommend justices and prosecutors
  o Remove justices and prosecutors
  o Confirm the appointment of justices and prosecutors
  o Assign justices and prosecutors to hold specific posts
  o Prepare annual budget of the federal judicial authority
  o Investigate allegations of judicial misconduct
  o Take necessary disciplinary or administrative actions against justices

4.3 What are the various levels of independence of a juridical council?
4.4 Complete independence from government, or a high degree of government involvement?

4.5 Relationship with other institutions and with other branches of the federal (parliament and government) government, regional and local judicial bodies

5 **International Models (6 pages)**

5.1 Comparison with other federal judicial systems from around the world

5.2 Propose at least three models and solutions that can clarify jurisdiction between Federal, regional and local bodies and build a better functioning justice system

6 **Conclusions and Recommendations (5 pages)**

6.1 Assess and critic of current situation: challenges to the judiciary to protect its independence and integrity

6.2 Final conclusions, propositions and recommendations

6.3 Civil society’s role in enhancing the independence of the judiciary

6.4 Role of the media in enhancing the independence of the judiciary

6.5 Specific Recommendations
  - to the Iraqi Justice System
  - to the Council of Representatives
  - to Iraqi Civil Society
  - to the International Community