

Sequence of top appointments based on Constitution

By Andrew Allen

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The sequence of events under the Constitution is as follows: the Federal Supreme Court's ratification of results announced by IHEC, the call to the Council of Representatives to convene, the election of a speaker, the election of a new president, and finally the nomination and approval of the Council of Ministers.

This is confirmed in the March 25 opinion of the Supreme Court, also published on this page.

I Article 93(7): ratification of the general election results by the Federal Supreme Court.

I Article 54: The convening of Parliament.

"The president of the republic shall call upon the Council of Representatives to convene by a presidential decree within 15 days from the date of the ratification of the general election results.

Its eldest member shall chair the first session to elect the speaker of the Council and his two deputies. This period may not be extended by more than the aforementioned period."

I Article 55: The election of the speaker.

"The Council of Representatives shall elect in its first session its speaker, then his first deputy and second deputy, by an absolute majority of the total number of the council members by direct secret ballot."

I Article 70: The election of the president.

"First: The Council of Representatives shall elect a president of the republic from among the candidates by a two-thirds majority of the number of its members.

Second: If none of the candidates receive the required majority vote then the two candidates who have received the highest number of votes shall compete and the one who receives the majority of votes in the second election shall be declared president."

Article 76: The president's nomination of premier-designate and vote of confidence for the Cabinet.

"First: The president of the republic shall charge the nominee of the largest Council of Representatives bloc with the formation of the Council of Ministers within 15 days from the date of the election of the president of the republic.

Second: The prime minister-designate shall undertake the naming of the members of his Council of Ministers within a period not to exceed 30 days from the date of his designation.

Third: If the prime minister-designate fails to form the Council of Ministers during the period specified in clause "Second," the president of the republic shall charge a new nominee for the post of prime minister within 15 days.

Fourth: The prime minister-designate shall present the names of his members of the Council of Ministers and the ministerial program to the Council of Representatives. He is deemed to have gained its confidence upon the approval, by an absolute majority of the Council of Representatives, of the individual ministers and the ministerial program.

Fifth: The president of the republic shall charge another nominee to form the Council of Ministers within 15 days in case the Council of Ministers did not win the vote of confidence."

Pursuant to Articles 68 and 77, the president and prime minister must be Iraqi by birth, born to Iraqi parents. The president must be over 40 years of age, and the prime minister over 35.

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