

## **Fact Sheet**

### **FORMATION OF THE NEW COUNCIL OF REPRESENTATIVES**

**The new Council of Representatives:** Under Article 54 of the Iraqi Constitution (the Constitution) the President of the Republic shall call upon the Council of Representatives (CoR) to convene by a presidential decree within fifteen days from the date of ratification of the general election results. The Federal Supreme Court is the body that will ratify the election results once all complaints and appeals have been heard by the Independent High Electoral Commission and the Electoral Judicial Panel respectively.

The eldest member shall chair the new CoR to elect the Speaker of the Council and his deputies.

Under Article 72 of the Constitution, the current President shall continue in his duties until after the end of the election and the meeting of the new Council of Representatives, provided that the new president of the Republic is elected within thirty days from the date of the first convening of the CoR.

**The President:** In 2010, provisions for the President of the Republic come into force. Under Article 70, Parliament elects the President by a 2/3 majority. If no candidate receives this, then the two candidates that receive the highest number of votes will compete with each other and the one who gets a simple majority wins.

**Prime Minister:** Under Article 76, the new President shall ask the “largest Council of Representatives bloc” to nominate a candidate for Prime Minister (PM) within 15 days from the date of the election of the new President of the Republic.

Article 76 of Constitution goes on to state that the Prime Minister-designate shall undertake the naming of the members of the cabinet (Council of Ministers) within a period not to exceed 30 days from the date of his/her designation. If s/he fails to achieve this within the required time limits, the President shall charge a new nominee for the post of Prime Minister within 15 days.

**Council of Ministers:** Under Article 76, the PM-designate shall present the members of the Council of Ministers and his ministerial program to Parliament for approval (individually) by an absolute majority. The President is required to ask a new nominee to form the Council of Ministers within 15 days in case the Council does not win a vote of confidence.

**Federation Council :** Under the transitional provisions of the Constitution, Article 137 states that all clauses related to the Federation Council shall be *postponed* until Parliament issues a decision by 2/3 majority vote “in the *second* electoral term” of Parliament after the adoption of the Constitution.