

# Process to Dismiss the Prime Minister of Iraq

There are three ways to dismiss the **Prime Minister of Iraq** laid out in the Iraqi Constitution.

**Note:** The CoR has 328 seats. An absolute majority of the complete CoR is, therefore, 165.

## Initiated by CoR

Twenty-five Council of Representatives (CoR) members call the Prime Minister to a questioning. The questioning will not be held until seven days after the request for the questioning.

The Prime Minister appears before the CoR for questioning.

The CoR will wait seven days after the questioning. At that point, 50 CoR members or the Prime Minister himself can call a vote of no-confidence.

The CoR must pass the no-confidence vote with an absolute majority of the complete CoR in order to dismiss the Prime Minister.

## Initiated by President

The President submits a request to the Council of Representatives (CoR) to withdraw confidence in the Prime Minister.

The Prime Minister appears before the CoR for questioning. The questioning will not be held until seven days after the request for the questioning.

The CoR will wait seven days after the questioning. At that point, one fifth of the CoR members must decide to call for a vote of no-confidence.

The CoR must pass the no-confidence vote with an absolute majority of the complete CoR in order to dismiss the Prime Minister.

## Initiated by Prime Minister

The Prime Minister offers his resignation to the Council of Representatives (CoR).

The **Government “is deemed to be resigned”** if the CoR votes no-confidence in the PM or if he resigns.

# Process to Dismiss the President of Iraq

The **President of Iraq** is elected by the Council of Representatives upon its formation.  
There is one way to dismiss the President laid out in the Iraqi Constitution.

The President will go before the Federal Court if charged with:

- Perjury of the Constitutional oath
- Violating the Constitution
- High treason



If convicted of any of the above, the Council of Representatives (CoR) must vote with an absolute majority to remove him from office.

# Process to Dismiss the Speaker of the Council of Representatives

There is no formal way to dismiss the **Speaker of the Council of Representatives** (CoR) in the Constitution, which details how to elect the Speaker. The Council of Representative's *Rules of Procedure* describes a process to elect a temporary Speaker should the current Speaker and his deputies be unable to continue their responsibilities.

Should the CoR Speaker and his two deputies be unable to continue their responsibilities, the presidency of the CoR “will be assumed by [the person] who has been temporary elected by the majority of the members present for that session.”

In the event that the **Speaker** and his deputies are removed or are unable to continue their responsibilities, the ability to propose legislation is granted to the temporary Speaker.

The Constitution details how to elect the **Speaker** at the formation of the CoR. The President convenes the CoR within 15 days of ratification of the election results. The most senior member within the CoR chairs the first CoR meeting to elect the Speaker and his two deputies. The Speaker and the deputies will be elected by an absolute majority of the total number of CoR members.

The CoR meets **quorum** when an absolute majority of the total number of CoR members are present. Currently, quorum is met when 165 CoR members are present. After the session meets quorum, any decisions in the CoR are passed by a simple majority.

Source: Articles 54, 55, and 59

[http://www.iraqinationality.gov.iq/attach/iraqi\\_constitution.pdf](http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf)

Article 11, Section 1

[Iraqi Council of Representatives Rules of Procedure](#)

# Process to Dissolve the Council of Representatives

The **Council of Representatives** (CoR) may be dissolved in two ways according to the Iraqi Constitution.

## Initiated by CoR

The Council of Representatives through a vote of an absolute majority can dissolve itself.

## Initiated by Prime Minister

The Prime Minister with the consent of the President and at the request of one third of the CoR can dissolve the CoR.

However, the **Council of Representatives** *cannot be dissolved* during a period in which the Prime Minister is being questioned by the CoR.

Upon the dissolution of the CoR, the President will have 60 days to hold general elections. The Council of Ministers, also known as the **Cabinet**, is considered resigned. The President assumes the duty of running everyday business.

## Process to Dissolve the Council of Ministers

The Iraqi Constitution does not explicitly outline how to dismiss as a whole the **Council of Ministers**, which is also known as the **Cabinet**. The Constitution outlines that the Council of Representatives (CoR) can dismiss a single Minister in the same process that the CoR initiates a no-confidence vote in the Prime Minister. It is presumed that the process by which the CoR passes a no-confidence vote in one Minister is applicable to the Council of Ministers as a whole, whether this is accomplished *en masse* or individually. In the case of a vote of no-confidence in the Council of Ministers as a whole, the Constitution stipulates that the Prime Minister and the Ministers continue in their positions for no more than 30 days until a new Council of Ministers is formed.

The Constitution does discuss the process at which the Prime Minister forms **Council of Ministers**, also known as the **Cabinet**, though it does not discuss how the Prime Minister himself might dissolve it or replace it as a whole.

The designated Prime Minister will present a list of candidates for the Council of Ministers to the CoR. The CoR must vote in an absolute majority to approve the list of candidates. Should the CoR not pass the list, the President will charge another “nominee” to form the Council of Ministers within fifteen days of the failed vote.