

Independence of Administrative Judicial In Iraq Comparative Study

BY

Hussain Jasim Shati

Abstract

Undoubtedly that independence of the judiciary and the independence of judges tow thing are linked to each other. it is dispensable on one another no does it promote any of them, a substitute for the other the existence of administrative it is inevitable because, it means there is strong need for a guarantee for the safety of law in a neutral and objective the administrative. And administrative Judicial, was set up in Iraq under law no, (106) for a year (1989) second amendment act the law of the state consultative council No (65), for a year (1979) where it was introduced for the first time under which administrative spend in Iraq, where he was on the validity of decisions and order issued by the pain.

So the administrative judicial considered is an essential and effective component in the protection of the principle of legitimacy, so the right and freedoms of individuals.

This is part of for the other hand the need for the administrative judicial in Iraq enjoyed functional independence and through the extension of the mandate of the judiciary, on all administrative disputes and considering his general jurisdiction over administrative disputes. Based on the above in order to surround all a aspects of this subject we opted to split it into three section, **we dealt with in the first chapter** of administrative independence of the administrative judicial, we discuss the selection of members of the elimination administrative and guarantees, the organization of their. **The second chapter** was dedicated to the study of financial independence for the elimination of

administrative in tow section, the first is the rights of financial as for the second it has we discussed through the budget independence of the elimination of administrative. **The third chapter** where includes title functional independence to eliminate administrative, which is divided by tow section, which included the first formation of the judiciary an administrative competence, and procedures of litigation in front of the judiciary in second.