

## The Legal Framework for Administrative Decisions in Iraqi Law

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### ABSTRACT

**Objective:** This research aims to clarify the legal provisions governing administrative decisions and their legal structure. It seeks to analyze the fundamental elements that distinguish administrative decisions from similar concepts while exploring their legal validity and limitations. **Method:** The study employs a qualitative legal analysis method, focusing on the formal and objective pillars required for an administrative decision to be legally valid. This involves a comparative examination of relevant legal frameworks and administrative practices. **Results:** The research identifies the distinct elements of administrative decisions that differentiate them from other legal concepts. Additionally, it highlights the mechanisms by which administrative decisions are terminated, either through cancellation or withdrawal, ensuring their alignment with public interest and the continuity of public services. **Novelty:** The study provides a comprehensive legal perspective on the structure and termination of administrative decisions, offering insights into their binding authority and unique characteristics. It contributes to a deeper understanding of how administrative actions serve public interests while maintaining legal validity.

## INTRODUCTION

The administrative decision is one of the legal acts that distinguish the role of the administration as a public body endowed with special authority aimed at achieving the public interest. It is a legal means through which the administration conducts its activities and ensures the steady functioning of public utilities. There are many types of administrative decisions, each adopting various criteria for differentiation, which also help distinguish them from judicial, legislative, and material actions. Administrative decisions play a key role in altering existing legal statuses, as they work to modify, establish, or cancel them.

These decisions are founded on essential elements that must be present for legitimacy, allowing the administration to implement them directly without the need to resort to any other authority. This characteristic is distinctive to the administration. Furthermore, administrative decisions can be terminated in several ways: they may end by withdrawal or cancellation, which we will clarify further in this research.

This research is significant due to the vital role administrative decisions play within the country, as they represent the essence of the work performed by officials across various governments. These decisions are among the most important components of the administrative process, especially within the framework of the privileges enjoyed by the administrative authority. This underscores the necessity to explore the provisions of administrative decisions to better understand their nature, types, and legal framework,

thus clarifying the scope of administrative operations, as administrative decisions are foundational to administrative law.

The administrative decision is an effective tool for the administration in executing its activities and is a fundamental pillar of administrative law that allows the exercise of public authority. This raises the question: How effective is the legal system governing administrative decisions?. The research employs an analytical approach to evaluate the legal rules pertinent to the topic and a descriptive approach to explain the provisions governing administrative decisions, distinguishing them from other concepts.

## **RESEARCH METHOD**

This study adopts a mixed methodological approach, primarily utilizing descriptive and analytical methods, to examine the legal frameworks governing administrative decisions, their definitions, elements, and distinguishing characteristics. This dual approach allows for a comprehensive exploration of the subject matter:

### **1. Descriptive Approach**

The descriptive method is employed to explain the fundamental principles and provisions related to administrative decisions. This involves systematically presenting the nature of administrative decisions, their essential elements, and the criteria that differentiate them from judicial, legislative, and material acts. This approach provides a foundation for understanding the operational framework of administrative decisions.

### **2. Analytical Approach**

The analytical method is utilized to critically evaluate the legal rules and principles that regulate administrative decisions. By examining jurisprudential interpretations and legislative texts, the study aims to identify inconsistencies, ambiguities, and practical implications. This analysis also explores the role of administrative decisions in shaping legal statuses and their termination processes, such as withdrawal or cancellation.

### **3. Data Sources**

This research relies on secondary data, including:

- a. Legal texts, such as laws and regulations pertaining to administrative decisions.
- b. Jurisprudential interpretations and scholarly writings from Iraqi and international legal experts.
- c. Case studies and practical examples that illustrate the application and challenges of administrative decisions in public administration.

### **4. Focus Areas**

The research focuses on:

- a. The conceptual framework of administrative decisions, including their definition and essential elements.
- b. The processes and legal implications of issuing and terminating administrative decisions.
- c. A comparative analysis of administrative decisions with other legal acts.

## **RESULTS AND DISCUSSION**

### **A. The Concept of Organizing the Administrative Decision**

The administrative decision is a legal act issued by the administration, holding significant importance within the realm of administrative work as it embodies the essence and primary motive for achieving public benefit. Its existence is intrinsically tied to the administration, requiring specific essential elements to be valid. Furthermore, while administrative decisions share similarities with other concepts, their unique characteristics set them apart. This prompts us to delve into this topic through the following two requirements.

#### **1. Administrative Decision**

The administrative decision serves as the primary management tool for executing administrative functions and promoting public interest. It rests on fundamental elements that are essential for its existence. Although it may resemble other legal acts, distinct differences mark its uniqueness. This necessitates a discussion on its definition and a closer examination of the elements that set it apart from other concepts in order to determine its nature, which we will clarify in the following sections.

##### **1.1 Definition of Administrative Decision**

Jurists have not reached a consensus on a comprehensive definition of the administrative decision, and the Iraqi legislator has not provided a specific definition for it [1]. However, there have been numerous jurisprudential attempts to define the administrative decision from various perspectives. Iraqi jurisprudence has sought to develop a definition but has generally focused on enumerating its elements. Many definitions have overlapped, with some jurists defining it as an expression of the individual will of the administration that produces legal consequences and is issued by an administrative authority [2]. What can be noted from Iraqi jurists is that they have not established a clear definition of the administrative decision; they have not explicitly addressed its final status in their definitions. Some define it as a legal act issued by the administrative authority that arranges legal consequences unilaterally [3]. While others characterize it as an act of a legal nature issued by a single administrative authority aimed at altering existing legal statuses, either by modifying, canceling, or establishing a new situation. Additionally, some define it as the administration's intent to express its binding will under laws and regulations, functioning as a public authority that aims to change the existing legal status by creating, amending, or canceling it. Iraqi jurisprudence, through the above, shows that it did not address the final status explicitly but indirectly based on the fact that the controls of the final administrative decision are represented in the fact that it entails a legal result or a new legal effect, its cancellation or amendment [1]. In the terminology, it is defined as a legal act issued by the administration of its own will and contributes to changing the duties and rights of citizens, regardless of their positions [2], or it is the expression of the administration's desire to create a legal effect by issuing a rule that amends, cancels or creates a legal status [3]. Therefore, there was a jurisprudential consensus on the difficulty of developing a unified definition of the

administrative decision, but in general, they ended up defining it as an act of a legal nature issued by the administration that entails a change in legal status either by creating a new status or influencing a previous legal status as a public authority. This means that the administration, based on its being concerned with achieving public benefit, does not take the approval of those against whom the decision was issued [4].

## **1.2 Elements of the Administrative Decision**

The administrative decision is distinguished from the material work of the administration, which is subject to the material incident, because the administrative decision represents an act of a legal nature issued by the administration on its own will and arranges a certain legal result [5]. This is what distinguishes it from the administrative contract in which two wills are involved. In order for the administrative work of the administration to be administrative, it must be intended to have an impact of a legal nature, which has a direct impact on the legal situation to which the decision is directed [6] and these together represent the elements of the administrative decision, which are:

### **a. The Administrative Decision as a Legal Act**

Public authorities in the state issue two types of acts, distinguished by their effects [4]. If the effect is material, it is non-legal; otherwise, it is legal. A legal act is issued to produce legal consequences within the state's legal system, based on the concept that legal positions have a defined role within this system. Legal status is embodied in rights or duties and encompasses a collection of such positions. It can represent a single legal entity or multiple public entities, varying among individuals. An example of a special legal status is the position of a contractor with the administration concerning public law or the legal status of a seller under private law [4].

The impact on legal positions is not limited to one direction, but it is in various directions. It may work to create a new legal situation that did not exist in the past, so a new legal position is established that occupies its place in the legal system, or this may be done by making various changes to an existing legal situation such as modifying an existing legal status or even abolishing its existence altogether [7], meaning that the legal work is known as an action issued by the administration and has a legal result represented by a change in the legal organization [8].

### **b. The Administrative Decision is an Action Taken by the Management**

That is, the essence of the administrative decision is that it is an act of a legal nature issued by the administration and therefore excludes decisions issued by legal persons and private and public bodies, and it is equal that the administrative decision is issued by any administrative body, whatever it is located within the framework of the management chain in the central management system or in the decentralized management system, and it is equal to whether it is supreme or not, that is, it is never important its status and rank in the hierarchy of the administration, as it can be issued by the head of state, the prime minister, ministers, directorates or various departments of the administrative structure, and it can be issued by the authorities and thus excludes the

decision issued by individuals or other public bodies such as the judiciary and legislative authority [9].

This work issued by the administration takes two negative and positive forms, where the negative form is that there is no aspect of expression where the administration is silent towards a behavior and does not show any reaction towards it, and therefore does not work to clarify its will in any external form nor by referring to it can be understood from its intention and will, and a positive image is represented by the work by which the administration clearly expresses its desire and this is at the basis of the administrative decision and is called the explicit positive decision [7].

**c. The Administrative Decision is Issued by the Sole Will of the Management**

The administration issues two types of legal acts, one of which is issued with a will that needs another will to be merged with it so that the legal results are arranged. After this, the second will be equal to the will of another administrative or non-administrative body. This type of legal act is called administrative contracts, and it is the acts that take place after the compatibility of two wills, one of which is the will of the administration and the second is the will of another party. The second type of legal act in which the will of one administration is sufficient to produce legal effects, which are administrative decisions that do not need to be merged with another will, but are issued unilaterally by the administration, and there is no difference in that the impact issued is facing an individual or several individuals specified in their capacities or that it is an organizational decision [10]

The administrative decision is not limited to one person working for the administration and in its name. It is issued unilaterally by a representative of the administration. Rather, several individuals may participate in it, such as the decision issued by the board of directors of a state institution or public law institutions, where it is obligatory that the total number of members of the council or some of them participate in its issuance or the decisions issued by the Council of Ministers, where a number of ministers in the council or all participate in its issuance, and this is not challenged as being issued unilaterally, as the element of individual will exists in the administrative decision even if several people participate in it [11] and a distinction is made between the administrative decision and its ability to arrange the legal effect required of it and the consent of its addressees and subjects, not its rulers, and this is embodied in individual decisions.

**d. An Administrative Decision Has Legal Effect**

The administrative decision is a regular and not random act issued by a single will and goes towards achieving the goal it seeks. The goal is the main factor for every act issued by the actor. Therefore, it is said that actions justify actions with goals and it is not said that the goal is achieved after the act. Every action carried out by the administration is related to a goal it seeks to achieve, but not every goal that falls within the scope of the administrative decision. Rather, there is a specific and specific goal of the administrative decision, which is represented by the legal results that it wants to reach with the will of

the administration. Therefore, administrative decisions are not considered for all actions that do not have legal effects, such as preparatory work and issued after the administrative decision and internal assets [12].

The legal result of the administration's decision must be specific. Determination is very important. The decisions of the administration do not remain arbitrary and unspecified, especially since a decision that does not produce an intended legal effect for the administration is not an administrative decision. This legal effect is related to the fact that there is a change and modification in the legal system of the state, as it may impose new rights and obligations that did not exist or modify, delete, cancel or create existing legal centers [13].

#### **B. The Second Requirement: Distinguishing the Administrative Decision From What it Looks Like**

The state's performance of its tasks requires it to carry out many political, executive, legislative and judicial acts in order to complete its duties. The legal system governing these acts differs according to each of them. Accordingly, the legal rules governing administrative acts distinguish from other legal rules that regulate the rest. This imposes the need to distinguish between administrative decisions and other acts that are similar to them, and this is what we will clarify through the following two sections.

#### **C. Distinguishing Administrative Decision From Government Work**

The executive body in the state undertakes government work for this purpose. Many government decisions are issued, while the public administration is competent to carry out the administrative function for which many administrative decisions are issued, and a distinction is made between them based on two organic and material criteria. The organic criterion is that it depends on the authority from which the act is issued and the nature of the formality and assets under which this work was issued so that its nature is decided as an administrative work or not, regardless of the content and nature of the work. Based on this criterion, an administrative decision is every work issued by a competent administrative authority [14] but despite the simplicity of this criterion, it does not depend on the distinction between them, especially since officials can combine governmental and administrative capacity together, while the material criterion is to focus on the nature of the work as it is administrative if its nature and content is related to the administrative function, while the work is governmental if it relates to the government job and contains government work but it is also not valid to distinguish based on the interlocking between governmental and administrative work [15].

#### **D. Distinguishing the Administrative Decision From the Judicial And Legislative Work**

Administrative decisions are similar to judicial work as they contribute to the function of adjudicating disputes by considering the grievances of individuals, and the formal and objective criterion is relied upon to distinguish between them. The formal criterion is that the administrative work is issued by an individual or a body associated with an administrative body, whatever its content, while the work is considered judicial

if it was issued by a body vested by law with the jurisdiction of the judiciary, under specific procedures. This criterion was criticized because most of the judicial acts are not judgments, but some of them are administrative in nature [16].

The objective criterion is that the judicial work includes a claim to violate the law and a legal solution to the issue presented and the decision is the necessary result of the report concluded by the judge, while the work is administrative if it is issued by an authority that has discretionary jurisdiction and not a restricted jurisdiction such as judicial rulings and is issued spontaneously whatever the desire of individuals, but these two criteria do not fit to distinguish between these acts. As for distinguishing them from legislative acts, they are made by the fact that administrative decisions may be canceled and compensated before the administrative judiciary, while on the contrary, laws can only be challenged according to the constitutional methods prescribed by the general rules, and a distinction is made between the administrative decision and the legislative work with a formal standard represented by the existing status and the authority that issued it. If it is issued by a parliament, it is a legislative act, and if it is issued by an administrative body, it is an administrative act, and an objective criterion depends on the need to be based on the examination of the work and its content in itself, whatever its form [17].

#### **E. The Second Topic: The Legal Organization of Administrative Decisions**

Based on the fact that the administrative decision is one of the important topics within the framework of administrative law, especially as it has distinct legal effects imposed on individuals without their consent, but in order for this decision to be valid, there are pillars that must be available until the decision is issued legally and fulfills the purpose it seeks to achieve, and then it disappears and stops. The legal consequences that it entails end when the administration decides to withdraw or cancel it, and this is what prompts us to study the legal system to which the administrative decision is subject, and this will be done through the following two requirements.

#### **F. The First Requirement: The Pillars of the Administrative Decision**

The administrative decision is based on main pillars that cannot be legitimate without them. In the event that these pillars exist, the administrative decisions do not have the legal consequences required of them. These pillars take two forms that we will try to explain successively within the following two sections.

##### **1. Formal Pillars of the Administrative Decision.**

The formal pillars of the administrative decision are two main pillars:

##### **1.1 Competence Pillar**

Jurisdiction means that it is an authority of a legal nature that the decision-maker has to issue his decision, that is, it represents the extent to which the member of the administrative body can express the management's binding desire, and the law is entrusted with the task of determining the functions and authority of the members of the administrative authority, and the rules of jurisdiction are considered by the system and therefore the administration does not have the seriousness of waiving them, replacing

them or approving their violation, and the competent person is not empowered to delegate others with this competence except in the cases permitted by the law and based on the criteria that must be taken into account. In order for the work of the employee or the administrative authority to be valid from the legal side, it must be issued by the authority holder and the rules of jurisdiction must be observed by each administrative authority, otherwise its work is defective to the lack of jurisdiction as it is issued by a person who is not competent to issue it and therefore the decision can be canceled for this reason, and the administration must exercise its jurisdiction specified by the law such time and place and in the substantive framework designated for this until the elements of jurisdiction are completed in accordance with the following.

## 1.2 Personal Jurisdiction

The administrative decision must be issued by the person to whom the law grants the power to issue it. It is an obligation that the owner must exercise it himself and not another person, and he may not transfer it to another person, but there are special cases for that, which are:

- a. **Delegation:** It is a process of a legal nature under which the administrative head transfers some of his functional powers to his subordinates or to several of his subordinates. This functional authority that he enjoys derives from the law and without giving up these competencies in terms of responsibility. There are several conditions for the delegation to be valid where it is necessary to have a legal text that allows this, and it is not partial and it is not permissible to delegate the delegation and it must be clear and explicit and the delegation of responsibility [17] is not.
- b. **Acting: The Administrative Head Who Holds The Top Position Shall Issue A Decision to Delegate** another employee to exercise the jurisdiction of the original jurisdiction based on his absence so that the original deputy can return to his place or a second employee is appointed in his place.
- c. **Subrogation:** It means that a subordinate replaces his superior with the original competence due to his absence from work or because he was unable to perform his job based on urgent reasons, so he is replaced by his subordinate based on the text of the law or the regulation [11].

## 1.3 Subject-Matter Jurisdiction

The administrative decision must be issued by an objectively competent authority and this type of jurisdiction is determined by regulations and laws, as the competent authorities undertake the task of distributing it among the persons and bodies of the administrative bodies so that they can carry out the tasks assigned to them according to their status in the administrative hierarchy, or they consider themselves to have violated this jurisdiction [19].

## 1.4 Scope Ratione Loci

Each administrative body must adhere to a specific spatial scope and adhere to it, otherwise it will have committed the defect of lack of spatial jurisdiction.



## **1. B. Jurisdiction Ratione Temporis**

Whereas each administrative body must adhere to a specific temporal scope and abide by it in the sense of resonating the decision while the employee has the authority to issue it, otherwise he is considered a perpetrator of a defect in the counting of temporal jurisdiction, as if a decision was issued after leaving the service [13].

## **2. Shape Corner**

It is the external image or assets through which the administration expresses its binding will to individuals [20], and basically that the administration is committed to express its will in a specific manner except in the event that the law stipulates otherwise, and in this case the form must be taken into account as if the law required writing or a private consultant before issuance, and the administrative judiciary distinguishes between whether the violation in the external image and the assets are related to the basic conditions that affect the interests of individuals or are related to informal conditions and their violation does not result in prejudice to their interests, as the first case results in nullity without the second, and one of the assets that has an impact on the legality of the administrative decision is its form and preliminary procedures that precede its issuance and cause, and the specific forms to protect the interests of its addressees or those affected by its guarantees, as for the forms that have an impact on the legitimacy of the decision, such as those related to the interest of the administration or the second is related to the secondary procedures that are not related to the content of the decision [21].

## **3. Substantive Pillars Of The Administrative Decision**

These pillars are:

### **3.1 Shop Corner**

It means the place of the decision, which is represented by its content and content, which is manifested by the legal result that it entails, whether it relates to the general legal effect that results from regulatory decisions or the special legal effect that results from individual decisions, as the individual decision is created, canceled, and modifies the legal status of an individual or a group of specific individuals, or the regulatory decision creates abstract general legal centers by creating, modifying, or deleting everyone who is addressed to it,

The shop must be legally permissible and be practically possible.

### **3.2 Purpose Corner:**

This pillar is the purpose that the administrative decision works to achieve, and it is a psychological element for the person who issues it. In the event that the administration arbitrates its authority and deviates from issuing a decision to achieve the public interest, its decision is tainted by the defect of deviation from authority, which is a primary reason for appealing the cancellation that responds to the administrative decision. The basis is that any administrative decision seeks to achieve the public benefit. If this is not achieved, there is a defect in the decision due to the bad intention of its source not to achieve the public interest, and this administrative decision is to achieve the public benefit and respect the rule of allocating the objectives and required procedure/

### **3.3 Reason Corner**

It is represented by the motivation that drives the administration to take the administrative decision. It is a realistic legal situation prior to the issuance of the decision. It is an objective external element. There are many cases in which the administration is obliged to state the reasons under which it took the decision and justify them. When the authority of the administration is restricted, the administration must take into account the reasons set by the legislator before taking the administrative decision. If its authority is discretionary, it is free to make the decision based on the unspecified reasons of the legislator. The reason must be present and present until the administrative decision is taken, and it must be legitimate [22].

#### **G. The Second Requirement: The End Of The Administrative Decision**

The administrative decision bears the nature of timing, meaning that no matter how long it is valid and effective, this enforcement has a limit that ends and all the legal effects that result from it are deleted. An administrative decision may be issued by an entity of a specific administrative nature that would prejudice the rights of employees. The administration may cancel a decision it has already issued, which leads to prejudice to the cancellation of the acquired rights. In this case, the stakeholder may appeal it before the administrative judiciary, which may work to approve the administration of its work or cancel its decision based on the rules of legitimacy of administrative work, and this is what we will clarify successively through the following two sections.

##### **1. Administrative Cancellation**

It is an act of a legal nature issued by an administrative authority in order to put an end and terminate the effects of an administrative decision for the future without prejudice to the results that occurred before its cancellation, and this decision of the administration is issued by unilateral will and this competence to cancel must be by the authority that issued the decision or the presidential authority to which it is subject and any second administrative authority granted by the legislator. This right where the prime minister has the power to cancel any administrative decision issued by the ministry based on his presidential authority over these institutions and ministries, and within the framework of determining the legitimacy of the cancellation and the right of the administration to do so, a distinction must be made between the two types of administrative decisions.

##### **2. Organizational Administrative Decisions:**

These decisions are issued on the basis of the authority granted to public administrations under the Constitution and the law in order to simplify the application of the law, and these decisions address individuals in their capacities and not in their own right and contain abstract legal rules and create non-self-standing public legal positions, and therefore they do not give the administration the power to amend, cancel or replace them at any time it deems appropriate in order to achieve the public interest, but this does not mean that they are not binding on them, but rather they are binding on the individuals addressed to them as long as they are in force and the cancellation of this

type of decisions does not entail the cancellation of individual decisions issued for their implementation, as they remain in force and arranged for their results based on the principle of non-retroactivity of administrative decisions, and if the regulatory decision is canceled or amended, this is done by another regulatory decision from the same administrative body that issued by it or the presidential authority to which it belongs, and the same formal principles stipulated for the issuance of the regulatory decision are followed if it is canceled or amended [21].

### **3. Cancellation of individual administrative decisions**

Here, a distinction must be made between the two types of individual decisions, as some of them arrange rights for individuals and others do not:

#### **3.1 Administrative Resolutions**

The basis is that the public administration does not have the right to cancel individual administrative decisions if they are valid and of a legitimate nature and result in an acquired right or a special status for individuals, except in cases where the law allows. As for decisions that do not entail acquired rights, the administration can cancel them at any time in order to achieve the public interest and from these state decisions. In addition to negative decisions, rejection decisions, decisions to impose administrative sanctions and non-executive decisions.

#### **H. Illegal administrative decisions:**

This means that the administration is granted the authority to cancel the illegal decision based on its illegality, and the administration can cancel individual administrative decisions that did not arrange rights at any time, while decisions that arranged acquired rights, their cancellation is linked to the issuance of the cancellation within a specific time to challenge the administrative decision before the judiciary because after the lapse of this time, the decision is immune to judicial cancellation and therefore may not be canceled within sixty days from the date of its issuance, which is the period specified for appealing the administrative judiciary.

#### **1. Administrative Withdrawal**

That is, the administration terminates the decision with retroactive effect from the date of its issuance and considers it as if it were not and results in the termination of all legal consequences of administrative decisions as of the date of its issuance. In the event that the decisions are legitimate, it is agreed that they may not be withdrawn, whether the decision is individual or organizational, in respect of the principle of legality and for the protection of the library rights of individuals, securing the legal stability of the situation and activating the principle of non-retroactivity of administrative decisions. However, there is an exception and these decisions can be withdrawn at any time, such as organizational decisions that were not implemented by individual decisions that grant individuals specific rights, and individual decisions that did not result in acquired rights for individuals, such as the withdrawal of an administrative decision issued to deport a foreigner from the country, and administrative decisions regarding the dismissal of employees. However, if the administrative decisions are illegal, it is the duty of the

administration to withdraw them at any time based on a grievance in respect of the law and the principle of legality in administrative work, and until the illegal decision is withdrawn, it must be defective to one of the defects of the administrative decision.

The period specified for withdrawal is the period specified for filing a cancellation lawsuit. If this period has elapsed, the administrative decision shall be immunized against cancellation and against administrative withdrawal. The Administrative Court of Iraq shall have jurisdiction to hear the lawsuit to cancel the administrative decision in general [23]. As for the lawsuits to cancel the administrative decision that relate to the application of the Civil Service Law for employees, it shall have jurisdiction over the Public Discipline Council [24].

## CONCLUSION

**Fundamental Finding :** The study highlights the legal and organizational reforms in the enforcement system of court decisions in Uzbekistan, particularly the establishment of the Bureau of Mandatory Enforcement. These reforms aim to improve the efficiency and reliability of enforcing court decisions, protect citizens' rights, and ensure the state's legal interests. **Implication :** The changes introduced through new regulations, including the simplified enforcement procedures and digitization of enforcement documents, significantly impact the enforcement process. These efforts improve accessibility and transparency for citizens and enhance the efficiency of enforcement actions, contributing to a more effective justice system. **Limitation :** While reforms have strengthened the enforcement system, challenges remain in ensuring the timely execution of all enforcement documents, especially in complex cases involving significant assets or cross-jurisdictional enforcement. Additionally, the effectiveness of these changes is contingent on widespread adoption and understanding by state enforcers and the public. **Future Research :** Future research could explore the long-term effects of these reforms on the justice system's credibility and the public's trust in enforcement agencies. Investigating the role of alternative enforcement mechanisms and international best practices could further enhance the system's effectiveness and fairness.

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